



# City of Covina/Covina Redevelopment Agency/Covina Public Finance Authority

Mayor Peggy Delach – Mayor Pro Tem John King

Council Members Walt Allen, III – Bob Low – Kevin Stapleton

## REGULAR MEETING AGENDA

125 E. College Street, Covina, California

Council Chambers of City Hall

**Tuesday, November 16, 2010**

**6:30 p.m.**

- **The City Council/Redevelopment Agency will meet in closed session from 6:30 p.m.-7:30 p.m.**
- As a courtesy to Council/Agency/Authority Members, staff and attendees, everyone is asked to silence all pagers, cellular telephones and any other communication devices.
- Any member of the public may address the City Council, Redevelopment Agency, and Public Finance Authority during both the public comment period and on any scheduled item on the agenda. Comments are limited to a maximum of five minutes per speaker unless, for good cause, the Mayor/Chairperson amends the time limit. Anyone wishing to speak is requested to submit a yellow Speaker Request Card to the City Clerk; cards are located near the agendas or at the City Clerk's desk.
- Please provide 10 copies of any information intended for use at the City Council/Covina Redevelopment Agency/Covina Public Finance Authority meeting to the City Clerk prior to the meeting.
- MEETING ASSISTANCE INFORMATION: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk Department at (626) 384-5430. Services such as American Sign Language interpreters, a reader during the meeting, and/or large print copies of the agenda are available. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. Assisted listening devices are now available. Please see the City Clerk before the meeting or during a break for more information.
- DOCUMENT AVAILABILITY: Any writings or documents provided to a majority of the City Council/Redevelopment Agency/Public Finance Authority regarding any item on this agenda will be made available for public inspection at the City Clerk counter at City Hall located at 125 E. College Street and the Reference Desk at the Covina Library located at 234 N. Second Avenue during normal business hours. In addition, such writings and documents are available in the City Clerk's office and may be posted on the City's website at <http://www.covinaca.gov/clerk/agendas.htm>.
- Pursuant to Government Code Section 54954.2, no matter shall be acted upon by the City Council/Redevelopment Agency/Public Finance Authority unless listed on agenda, which has been posted not less than 72 hours prior to meeting.
- If you challenge in court any discussion or action taken concerning an item on this Agenda, you may be limited to raising only those issues you or someone else raised during the meeting or in written correspondence delivered to the City at or prior to the City's consideration of the item at the meeting.
- The Deputy City Clerk of the Covina City Council hereby declares that the agenda for the **November 16, 2010** Regular City Council meeting was posted on **November 10, 2010** near the front entrance of the City Hall, 125 East College Street, Covina, in accordance with Section 54954.2(a) of the Government Code.

*November 16, 2010*

**CITY COUNCIL/REDEVELOPMENT AGENCY  
JOINT MEETING—CLOSED SESSION  
6:30 p.m.**

**CALL TO ORDER**

**ROLL CALL**

Council/Agency Members Allen, Low, Stapleton, Mayor Pro Tem/Vice Chairperson King,  
Mayor/Chairperson Delach

**PUBLIC COMMENTS**

*The Public is invited to make comment on Closed Session items only at this time. To address the Council/Agency, please complete a yellow Speaker Request card located at the entrance and give it to the City Clerk. Your name will be called when it is your turn to speak. Individual speakers are limited to five minutes each.*

**The City Council and Redevelopment Agency will adjourn to Closed Session for the following:**

**CLOSED SESSION**

- A. G.C. §54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR -  
NEGOTIATIONS TO INCLUDE BOTH PRICE AND TERMS:  
DESIGNATED REPRESENTATIVE: Robert Neiuber, Comm. Development Director
- Covina Valley Unified School District – 120 East School Street (APN 8430-027-900)
  - Covina Valley Unified School District – Vacant Land South Side Puente Street at Third Avenue (APN: 8444-021-904)
  - Mercy Moreno – 147-151 East College Street (APN 8445-001-918)
  - Elite Dining, Inc. – 114 E. Italia Street (APN 8445-001-905)
  - Charlie Park – 116 E. School Street (APN 8430-027-009)
  - Yen Yao Hsih (APN 8431-028-007)
  - Yen Yao Hsih (APN 8431-028-025)
  - Yen Yao Hsih (APN 8431-028-026)
  - Yen Yao Hsih (APN 8431-028-029)
  - Greg Bozzani – 602 S. Citrus Avenue (APN 8451-001-911)
  - Greg Bozzani – 626 S. Citrus Avenue (APN 8451-001-911)
  - Enterprise – 635 South Citrus Ave. (APN 8453-001-906 & 8453-001-900)
- B. G.C. §54956.9(c) – CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation  
Number of Cases: One (1)

**RECESS**

**CITY COUNCIL  
REDEVELOPMENT AGENCY/PUBLIC FINANCE AUTHORITY  
JOINT MEETING—OPEN SESSION  
7:30 p.m.**

**CALL TO ORDER**

**ROLL CALL**

Council/Agency/Authority Members Allen, Low, Stapleton, Mayor Pro Tem/Vice Chairperson King, Mayor/Chairperson Delach

**PLEDGE OF ALLEGIANCE**

Led by Mayor Delach.

**INVOCATION**

Led by the Covina Police Chaplain David Truax.

**PRESENTATIONS**

1. Recognition of Police Officer David Rodriquez as the California SWAT Officer of the Year.
2. Recognition of Police Department Volunteer of the Year – Phyllis Meadow.
3. Recognition of the 2010 Parade Committee Members and the first time Emeritus Award recipients Bob and Marilyn Humble.
4. Official Drawing for the 60th Annual Christmas Parade fundraiser winners.
5. Proclamation for Hospice and Home Health Care month.

**PUBLIC COMMENTS**

*To address the City Council/Redevelopment Agency/Public Finance Authority please complete a yellow Speaker Request card located at the entrance and give it to the City Clerk/Agency/Authority Secretary. Your name will be called when it is your turn to speak. Those wishing to speak on a LISTED AGENDA ITEM will be heard when that item is addressed. Those wishing to speak on an item NOT ON THE AGENDA will be heard at this time. State Law prohibits the Council/Agency/Authority Members from taking action on any item not on the agenda. Individual speakers are limited to five minutes each.*

## **COUNCIL/AGENCY/AUTHORITY COMMENTS**

*Council/Agency Members wishing to make any announcements of public interest or to request that specific items be added to future City Council/Redevelopment Agency/Public Finance Authority Agendas may do so at this time.*

## **CITY MANAGER COMMENTS**

## **CONSENT CALENDAR**

*All matters listed under consent calendar are considered routine, and will be enacted by one motion. There will be no separate discussion on these items prior to the time the Council/Redevelopment Agency/Public Finance Authority votes on them, unless a member of the Council/Agency requests a specific item be removed from the consent calendar for discussion.*

- CC 1. City Council to approve the Minutes of the November 2, 2010 Regular City Council/Redevelopment Agency/Public Finance Authority Meeting.
- CC 2. City Council to receive and file the Payment of Demand in the amount of \$6,303,379.59.
- CC 3. City Council to authorize Automated Clearing House (ACH) Transactions between Bank of the West and Wells Fargo Bank.
- CC 4. City Council to adopt **Resolution No. 10-6905**, to rescind City Council Resolution No. 87-4833, authorizing the adjustment and settlement of claims against the City of Covina.
- CC 5. City Council to adopt **Resolution No. 10-6908**, to amend the fine amounts for parking violations to comply with state mandated legislation SB 857 and to offset increased local parking enforcement costs.
- CC 6. City Council to adopt **Resolution No. 10-6909**, to approve an amendment to the contract between the City of Covina and the California Public Employees' Retirement System (CalPERS) to provide a 3% @ 55 Retirement plan for Sworn Employees hired on or after January 1, 2011.
- CC 7. City Council to introduce and waive further reading of **Ordinance No. 10-1990**, adopting the 2010 California Administrative, Building, Residential and Green Building Codes, et al., and the 2011 Los Angeles County Fire Code by reference and amending Title 14, Buildings and Construction, of the Covina Municipal Code.
- CC 8. City Council to approve the determination of satisfaction of note and program requirements and terms for the program participants of the Community Development Bock Grant (CDBG) Special Economic Development Program.
- CC 9. City Council to approve the reorganization of the Information Technology Division of the Finance Department.



## **CONSENT CALENDAR CONTINUED**

- CC 10. City Council to receive and file the Public Works Department Monthly Activity Report.
- CC 11. City Council to receive and file the report of the 2010 CalPERS Educational Forum.
- CC 12. City Council to approve the amendment to the July 1, 2009 agreement between the City of Covina and LA Works for the CDBG-R program.
- CC 13. Redevelopment Agency to receive and file Payment of Demands in the amount of \$466,831.25.
- CC 14. Redevelopment Agency to award a Professional Services Agreement contract to Willdan Engineering for an amount not to exceed \$15,000 for construction management and inspection services for Olson Citrus Walk at-grade demolition.
- CC 15. Redevelopment Agency to adopt **Agency Resolution No. 10-644**, for appropriation of additional funds for Plans Specifications and Engineering (PS&E) and construction of the Heritage Plaza Project and authorize Executive Director to execute corresponding Professional Services Agreement Contracts.
- CC 16. Redevelopment Agency to award a Professional Services Agreement contract to SCS Engineers for oversight during pre-demolition abatement for an amount not to exceed \$10,000.
- CC 17. City Council and Redevelopment Agency to:
1. adopt **City Resolution No. 10-6907**, approving the sale of real property by Vehicle Parking District to the Covina Redevelopment Agency pursuant to that certain disposition and development agreement with Olson Land Projects, LLC, and authorize the Executive Director to execute said purchase agreement; and
  2. adopt **Agency Resolution No. 10-643**, approving the sale of real property by Vehicle Parking District to the Covina Redevelopment Agency pursuant to that certain disposition and development agreement with Olson Land Projects LLC and authorize the Executive Director to execute said purchase agreement.

## **JOINT PUBLIC HEARING**

- JPH 1. City Council/Redevelopment Agency to conduct a Joint Public Hearing for Land Exchange Agreement with Covina Valley Unified School District (CVUSD) for Olson Citrus Walk Project and for a joint vocational training facility.

### **Staff Recommendation:**

- a) a) Adopt **City Resolution No. 10-6906**, approving a Land Exchange Agreement with Covina Unified School District, a California School District, for property located at 120 East School Street and a portion of parcel 8444-021-904 and making certain findings pursuant to California Health and Safety Code §33433 in connection with the Covina Redevelopment Agency's sale of property acquired with tax increments funds; and
- b) Adopt **Agency Resolution No. 10-642**, approving a Land Exchange Agreement with Covina Unified School District, a California School District, for property located at

120 East School Street and a portion of parcel 8444-021-904 and making certain findings pursuant to California Health and Safety Code §33433 in connection with the Covina Redevelopment Agency's sale of property acquired with tax increments funds.

### **NEW BUSINESS**

- NB1. City Council to introduce and waive further reading of **Ordinance No. 10-1987**, amending Title 11 of the Covina Municipal Code pertaining to Controls in Public Rights-of-Way.
- NB2. City Council to consider Council Member initiated appeal of two Planning Commission Decisions.

### **JOINT NEW BUSINESS**

- JNB 1. City Council and Redevelopment Agency to approve Shopper's Lane Improvements Final Concept Design.

### **ADJOURNMENT**

The Covina City Council/Redevelopment Agency/Covina Public Finance Authority will adjourn to **Tuesday, November 30, 2010** at 6:30 p.m. for a special meeting in the Council Chambers of City Hall, 125 E. College Street, Covina, California 91723.



**MINUTES OF THE NOVEMBER 2, 2010 REGULAR  
MEETING OF THE COVINA CITY  
COUNCIL/REDEVELOPMENT AGENCY/PUBLIC FINANCE  
AUTHORITY HELD IN THE COUNCIL CHAMBERS OF  
CITY HALL, 125 EAST COLLEGE STREET**

**CALL TO ORDER**

Mayor Delach called the City Council/Redevelopment Agency/Public Finance Authority meeting to order at 6:36 p.m. and recessed to closed session.

**ROLL CALL**

Council Members Present: Allen, Low, King, Delach

Council Members Absent: Stapleton (with notice)

Elected Officials Present: City Clerk

Staff Members Present: City Manager, City Attorney, Police Chief, Community Development Director, Public Works Director, Human Resources Director, Finance Director, Parks and Recreation Director, Police Captain, Police Lieutenant, Sr. Redevelopment Manager, Risk Manager, Redevelopment Manager, City Planner, Contract Communications Manager, Deputy City Clerk

**AGENDA  
POSTING  
DECLARATION**

The Deputy City Clerk of the Covina City Council hereby declares that the agenda for the November 2, 2010 Regular City Council/Redevelopment Agency/Public Finance Authority meeting was posted on October 28, 2010 near the front entrance of City Hall, 125 East College Street, Covina, in accordance with §54954.2 (a) of the Government Code.

**CLOSED  
SESSION**

A. GC. §54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
NEGOTIATIONS TO INCLUDE BOTH PRICE AND TERMS:  
DESIGNATED REPRESENTATIVE: Robert Neiuber, Comm. Development  
Director

- Off Citrus – 114 E. Italia Street (APN: 8445-001-905)
- Charlie Park – 116 E. School Street (APN: 8430-027-009)
- Yen Yao Hsih (APN 8431-028-007)
- Yen Yao Hsih (APN 8431-028-025)
- Yen Yao Hsih (APN 8431-028-026)
- Yen Yao Hsih (APN 8431-028-029)

B. G.C. §54956.9(b)(3)(A) – CONFERENCE WITH LEGAL COUNSEL –  
Anticipated Litigation  
Potential Case: One (1)

**CONVENE THE MEETING**

The City Council/Redevelopment Agency/Public Finance Authority meeting reconvened at 7:30 p.m.

**CITY ATTORNEY  
ANNOUNCEMENT**

City Attorney Marco Martinez noted that all members of City Council were present, except for Council Member Stapleton. City Attorney Marco Martinez announced that there were no reportable actions related to Closed Session item A and B.

**PLEDGE OF ALLEGIANCE**

Mayor Pro Tem King led the Pledge of Allegiance.

**INVOCATION**

Covina Police Chaplain David Truax gave the Invocation.

**PRESENTATIONS**

Mayor Delach noted that Jackie Miller was not able to attend the meeting this evening to receive the Community Hero Recognition.

Mayor Delach invited Bob Moungey and Ken Fisher, of the Maintenance Superintendents Association, Los Angeles and Orange County Chapter, to the lectern to assist in presenting Geoff Cobbett with the 2010 Peter W. Walsh Maintenance Superintendents Association Award.

Mayor Delach gave Covina Police Chaplain Dave Truax a certificate, which cited tonight's meeting adjournment in memory of Leonard Klenk, long time Covina resident and District Eagle Advisor for the Boy Scouts.

Bobbi Kemp, Contract Communications Manager, provided a PowerPoint presentation on the Food for Fines Program. The program will waive \$1 in overdue fines in exchange for a donation of a canned food item during the month of November. For additional information, contact the Covina Public Library at (626) 384-5300.

Mark Revill and Grace Chen with the Los Angeles County Sanitation District gave a PowerPoint presentation on the status of the "Waste-by-Rail" program. Ms. Chen reported that the Sanitation District along with other public agencies, are studying a means to address the projected shortfall in local solid waste disposal capacity. The Waste-by-Rail system will provide disposal to remote landfills when local landfills reach capacity. A brief discussion took place after the presentation.

**PUBLIC COMMENTS**

Bill Boudreau representing Brunswick Covina Bowl requested assistance on handling the on going day-worker loitering problem across the street at Home Depot. Mr. Boudreau stated if you travel in the area of Rimsdale Avenue between San Bernardino Avenue and West Badillo Street there will be approximately 40-50 people loitering in the area and expressed a possible safety hazard.

City Manager Daryl Parrish stated staff had some internal discussions that also included a neighboring City regarding the loitering. He noted issues regarding property rights as well as civil rights. City Council and staff requested that Mr. Boudreau address a letter to the City articulating some of the concerns and include evidence with respect to the conditions at the location.

Mr. Doren Barnes representing the South Hills High School Band and Colorguard Boosters invited the Council Members, staff and the community to the 7th Annual Showcase of Band on November 16, 2010 at South Hills High School. Eighteen bands are scheduled to participate in field shows beginning at 4:00 p.m., with the awards ceremony scheduled for 9:00 p.m.

**COUNCIL/AGENCY  
COMMENTS**

Council Member Allen requested items be tabled for the next Council meeting regarding the consideration of an appeal to the October 26, 2010 Planning Commission's decision on Conditional Use Permit 10-008, the accompanying Variance 10-002, for the proposed facility at Bonnie Cove Avenue and Cienega Street and the decision on Conditional Use Permit 10-010 and the accompanying Variance 10-004, for the proposed facility at Garvey Avenue. He cited that citizens have expressed a concern to him regarding the proposed monopine communication facilities. Council Member Allen stated the consideration of appeal would come before Council at an upcoming meeting and should it be approved then the necessary findings would come before the Council in December.

City Attorney Marco Martinez stated that in the case of the appeal the Covina Municipal Code allows one Council Member request that the item be placed on a future agenda. All Council Members agreed that the appeal be placed on an upcoming agenda.

Council Member Allen commented on the success of the 2010 Halloween Carnival and recognized Parks and Recreation Staff, who assisted with the program.

Council Member Low announced that he had an opportunity to meet with the District Superintendent, Dr. Catherine J. Nichols, of the Covina Valley School District. He stated the State of California evaluates schools based on the student Academic Performance Index (API) test, with the State goal that each school achieves a score of 800. Council Member Low reported that Dr. Nichols provided him a copy of the schools in the City of Covina, adding that the District average is 739. Council Member Low referenced the City of Covina's strategic plan and stated he would like to continue working with the School District to assist in improving these test scores.

Mayor Pro Tem King expressed his appreciation to everyone who assisted with the Thunderfest Festival. Mayor Pro Tem King requested if Council could adjourn the meeting in honor of Dr. Tim Burlingame, Superintendent of Sonrise Christian School, who recently passed away.

Mayor Delach stated she had an opportunity to meet with Dr. Nichols and echoed Council Member Low's comments.

Mayor Delach announced the Veterans Day Ceremony would take place on Thursday, November 11, 2010 at 9:00 a.m. in the Donald W. Evans Memorial Courtyard at the north entrance to City Hall. All Veterans in attendance will be recognized and the Yellow Ribbon Committee will retire banners for military personnel who have separated from service during the last year. She announced that Mickey Mouse would be the Grand Marshal at the 60th Annual Covina Christmas Parade, Saturday, December 4, 2010. The Parks and Recreation Department have opportunity tickets available for a \$2 donation to ride as a VIP in the parade; their office can be reached at (626) 384-5340. The VIP drawing will take place at the November 16 City Council meeting. Mayor Delach announced the Covina lighting of the Official Christmas Tree would be lit on Friday, November 19, 2010 at 7:00 p.m., during the Farmers Market and Family Night. Mayor Delach stated that overnight parking enforcement moratorium for the Thanksgiving Holiday would take effect on 2:00 a.m. on Wednesday, November 24, 2010 through 4:00 a.m. on Sunday, November 28, 2010, whereby the Covina Police Department will suspend the requirement for overnight on-street parking permits.

#### CITY MANAGER COMMENTS

No comments.

#### CONSENT CALENDAR

On a motion by Mayor Pro Tem King, seconded by Council Member Allen, the City Council/Redevelopment Agency/Public Finance Authority approved Consent Calendar items CC1, CC2, CC3, CC4, CC5, CC6, CC7, CC8, CC9 and CC10. **Motion carried 4-0, with Council Member Stapleton absent.**

#### REGULAR CITY COUNCIL/CRA/CPFA MEETING MINUTES CC1

City Council approved the Minutes of the October 19, 2010 Regular City Council/Redevelopment Agency/Covina Public Finance Authority Meeting.

#### 4th QUARTER UPDATE CC2

City Council received and filed the Fiscal Year 2009-2010 4th Quarter Update on Major Funds.

#### COUNCIL QUARTERLY TREASURER REPORT CC3

City Council received and filed the Quarterly Report of the Treasurer to the City Council for the Quarter Ended September 30, 2010.

#### POLICE ASSOCIATION MOU CC4

City Council adopted **Resolution No. 10-6888**, approving the Memorandum of Understanding between the City of Covina and the Police Association of Covina.

#### CARRY OVER OF FUNDS CC5

City Council adopted **Resolution No. 10-6902**, approving the carry over of certain funds from Fiscal Year 2009-2010 to Fiscal Year 2010-2011.

<b>BOARD RESIGNATION LETTERS CC6</b>	<p>City Council accepted letters of resignation from Michael Gainor of the Covina Library Board of Trustees and from Carmine Lanza of the Covina Personnel Advisory Board.</p>
<b>ANNUAL REPORT AND ASSESSMENT OF BAED CC7</b>	<p>City Council received and filed a report of total workers' compensation liabilities under Labor Code §3702.6(b) requiring each public self-insurer to advise its governing board of total liabilities reported, and if current funding of those liabilities in compliance with the requirements of GASB 10.</p>
<b>RIGHT OF ENTRY AGREEMENT CC8</b>	<p>Redevelopment Agency approved a Right of Entry Agreement by and between the Covina Redevelopment Agency and Elite Dining, Incorporated.</p>
<b>AGENCY QUARTERLY TREASURER REPORT CC9</b>	<p>Redevelopment Agency received and filed the Quarterly Report of the Treasurer to the Covina Redevelopment Agency for the Quarter Ended September 30, 2010.</p>
<b>REPORT ON INTERNATIONAL COUNCIL OF SHOPPING CENTERS CC10</b>	<p>Redevelopment Agency received and filed the report on International Council of Shopping Center (ICSC) Western Division Conference-Deal Making.</p>
<b>CONTINUED PUBLIC HEARING  VOIDING/REVOCATIO N OF CONDITIONAL USE PERMITS AND BUSINESS LICENSE CPH 1</b>	<p>Continued Public Hearing was before City Council for the consideration of voiding/revocation of Conditional Use Permits #87002 and 99-001 and Business License #027874 for the establishment known as "The Well" Bar, located at 989 West San Bernardino Road, Covina, California, 91722.</p>
	<p>Mayor Delach continued the Public Hearing and read the following statement: "This Public Hearing item is an administrative hearing to determine whether to revoke the existing Conditional Use Permits and Business License for "The Well" Bar, located at 989 West San Bernardino Road, Covina, California. It will be conducted according to the requirements set forth in Covina Municipal Code Section 17.62.170 and will be presented by staff and members of the City Attorney's Office with City Attorney Marco Martinez, acting as Attorney for the City Council and in its capacity as the Administrative Body responsible for the hearing. Mr. Martinez was not consulted or involved in advising or assisting staff in this matter. City Council's roll in this matter is to decided, pursuant to section 17.62.170, whether there is sufficient evidence to determine that "The Well" Bar is being operated as a nuisance and/or whether there has been non-compliance with the Conditions of Approval imposed on it permits. The burden of proof for this case will be on the City. My roll as Mayor will be to act as Presiding Officer of this hearing and render any necessary procedural rulings concerning the conduct of these proceedings. The City Council has received and reviewed all documents pertaining to</p>

this revocation hearing, including the staff report. The City Council is prepared to listen to all evidence and to render an impartial decision based only on the evidence before us as this hearing and the documents provided. If the City Council determines by a preponderance of the evidence that "The Well" Bar is being operated as a nuisance and/or there has been non-compliance with the Conditions of Approval, the City Council may adopt a resolution to revoke "The Well" Bar permit and license."

City Attorney Marco Martinez announced for the benefit of the Council the meaning of preponderance of the evidence. The preponderance of the evidence would be established when the weight of evidence supporting a fact in contention, in this case, that relates to whether the use is being operated as a nuisance or whether there has been non-compliance with the Conditions of Approval. Where that has more convincing force when balanced against the evidence refuting the existence of that same fact in contention, a balancing of the evidence that you hear.

City Attorney Marco Martinez stated that Staff is in receipt of an agreement signed by the operators of "The Well" Bar. This agreement provides "The Well" Bar has agreed to surrender their permits and licenses based on certain conditions. The conditions are as follows: They would surrender the business license and Conditional Use Permits. They would agree not to challenge, in any way, the proceedings being conducted by the City Council. They agree not to encourage others to challenge these proceedings. They would also agree not to encourage another similar use to operate at the same address. They agree not to appeal the determination. In return, they have requested time to wind-down their operations, which was negotiated with Staff. Operations would cease within 30 days on or before 11:59 p.m. of the thirtieth day, which would be December 2, 2010.

A brief discussion took place regarding the wind-down period for the establishment.

City Attorney Marco Martinez stated the Resolution presented this evening, is based on the surrender of the permits and business license by "The Well" Bar and would be effective December 2, 2010.

There were no speakers. Mayor Delach closed the Public Hearing.

On a motion by Council Member Allen, seconded by Council Member Low, the City Council adopted **Resolution No. 10-6904**, thereby voiding/revoking CUP 87002, CUP 99-001 and Business License #027874. **Motion carried 4-0, with Council Member Stapleton absent.**



## **PUBLIC HEARING**

### **2010 ANNUAL REPORT FOR DOWNTOWN BUSINESS AREA ENHANCEMENT DISTRICT PH 1**

Public Hearing was before City Council for the consideration of the 2010 Annual Report for the Covina Downtown Business Area Enhancement District and Proposed Assessment; and to adopt **Resolution 10-6900**, confirming the 2010 Annual Report for the Covina Downtown business Area Enhancement District and levying the assessment described therein.

Mayor Delach opened the Public Hearing. There were no speakers. Mayor Delach closed the Public Hearing.

On a motion made by Council Member Allen, seconded by Mayor Pro Tem King, the City Council adopted **Resolution No. 10-6900**, confirming the 2010 Annual Report for the Covina Downtown Business Area Enhancement District and levying the assessment described therein. **Motion carried 4-0, with Council Member Stapleton absent.**

### **2010 ANNUAL REPORT FOR THE PROSPERO PARK BUSINESS AREA ENHANCEMENT DISTRICT PH 2**

Public Hearing was before City Council for the consideration of the 2010 Annual Report for the Prospero Park Business Area Enhancement District and Proposed Assessment.

Mayor Delach opened the Public Hearing. There were no speakers. Mayor Delach closed the Public Hearing.

On a motion made by Council Member Allen, seconded by Mayor Pro Tem King, the City Council adopted **Resolution No. 10-6903**, confirming the 2010 Annual Report for the Prospero Park Business Area Enhancement District and levying the assessment described therein. **Motion carried 4-0, with Council Member Stapleton absent.**

### **SOLID WASTE FROM ATHENS SERVICES NB 1**

Solid Waste Disposal Proposal from Athens Services.

Mr. Robert Gillespie spoke in favor of continued business with Athens Services and mentioned the active interest that Athens has taken regarding community involvement for the City of Covina.

City Manager Daryl Parrish stated Staff is working with Athens Services regarding the City's projected disposal and diversion needs and outlined the provisions of proposed partnership to meet Covina's solid waste disposal requirements.

Mr. Dennis Chiappetta of Athens Services discussed the proposed Material Recovery Facility (MRF) in Irwindale, adding that they will continue their efforts on the proposed project. Mr. Chiappetta thanked and reassured Council that Athens provides refuse billing for many cities with no concerns.

On a motion made by Mayor Pro Tem King, seconded by Mayor Delach, the City Council approved the proposal from Athens Services in concept and directed staff to draft amendments to the Refuse Collection Exclusive Franchise Agreement to reflect the proposal. **Motion carried 4-0, with Council Member Stapleton absent.**

**APPOINTMENT TO  
LIBRARY BOARD  
NB 2**

Appointment of City Boards, Committees and Commissions.

On a motion made by Mayor Delach, seconded by Council Member Allen, the City Council ratified the Mayor's appointment of Sally Rich Arroyo to the Covina Library Board of Trustees. **Motion carried 4-0, with Council Member Stapleton absent.**

**NEW BUSINESS**

Renew Business License and Certificate of Public Convenience and Necessity for Southern California Transportation, DBA, Yellow Cab Company of San Gabriel Valley.

On a motion made by Council Member Allen, seconded by Council Member Low, the City Council directed the Finance Department to renew a Business License and update the Certificate of Public Convenience and Necessity in accordance with Chapter 5.44 of the Covina Municipal Code for Southern California Transportation, DBA, Yellow Cab Company of San Gabriel Valley. **Motion carried 3-1, with Mayor Pro Tem King voting No and Council Member Stapleton absent.**

**ADJOURNMENT**

At 8:59 p.m., Mayor Delach adjourned the City Council/Redevelopment Agency/Public Finance Authority meeting in memory of Leonard Klenk and Dr. Tim Burlingame to the next Regular Meeting scheduled for **Tuesday, November 16, 2010**, at 6:30 p.m., for closed session items in the Council Chamber followed by the regular meeting at 7:30 p.m.

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Catherine M. LaCroix  
Deputy City Clerk/Agency Secretary

Approved this 16th day of November, 2010.

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Peggy Delach, Mayor/Chairperson

**CITY OF COVINA**  
**AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** CC 2

**STAFF SOURCE:** Dilu De Alwis, Finance Director *DL*

**ITEM TITLE:** Payment of Demands

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**STAFF RECOMMENDATION:**

Approve Payment of Demands in the amount of: **\$6,303,379.59**

**BACKGROUND:**

Attached list of warrants, demands, which are being presented for approval for September 2010 are summarized as follows:

<u>DATE OF DEMANDS</u>	<u>DEMAND NUMBERS</u>	<u>AMOUNT</u>
<b>ACCOUNTS PAYABLE WARRANTS</b>		
September 2, 2010	87067-87090	\$186,527.11
September 8, 2010	87091-87220	\$2,810,438.89
September 14, 2010	87221-87342	\$392,521.87
September 15, 2010	87343-87365	\$186,078.28
September 16, 2010	87366-87460	\$855,628.62
September 27, 2010	87461-87563	\$302,115.87
September 29, 2010	87564	\$296.67
September 29, 2010	87565-87568	\$95,017.51
September 14, 2010	Wire Transfer	\$218,554.29
<b><u>PAYROLL</u></b>		
September 2, 2010		\$154,952.67
September 16, 2010		\$153,876.01
September 16, 2010 PAYROLL ADVANCE		\$383,000.00
September 30, 2010		\$130,079.02
September 30, 2010 PAYROLL ADVANCE		\$373,000.00
<b><u>VOIDS</u></b>		
September 30, 2010	87135,87146,87259	(\$865.20)
<b><u>WORKERS COMPENSATION</u></b>		
September 3, 2010	20438-20500	\$18,436.39
September 10, 2010	20501-20510	\$20,106.28
September 17, 2010	20511-20530	\$11,200.20
September 24, 2010	20531-20547	\$12,415.11
<b>GRAND TOTAL:</b>		<b>\$6,303,379.59</b>

**RELEVANCE TO STRATEGIC PLAN:** Not applicable

**EXHIBITS:**

**A. ACCOUNTS PAYABLE REGISTER**

<b>REVIEW TEAM ONLY</b>	
City Attorney: <i>[Signature]</i>	Finance Director: <i>[Signature]</i>
City Manager: _____	Other: _____

STATE OF CALIFORNIA            )  
  ) ss:  
COUNTY OF LOS ANGELES    )

I, Dilu De Alwis being first duly sworn, declare that I am the Finance Director of the City of Covina and have read the attached Register(s) of Audited Demands for the City of Covina dated Accounts Payable for 9/02/10, 9/08/10, 9/14/10, 9/15/10, 9/16/10, 9/27/10, and 9/29/10; Payroll for 9/02/10, 9/16/10, and 9/30/10; Voids for September 2010; Workers Compensation for 9/03/10, 9/10/10, 9/17/10, and 9/24/10; know the contents thereof, and do CERTIFY as to the accuracy of the attached Demands and the availability of funds for their payment pursuant to the government Code, Section 37202.

Dilu De Alwis  
Finance Director

Subscribed and sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_, 2010

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Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
AP00087067	V06191	AFLAC ACCT# YQ792	09/02/10	3,386.76	MW	OH	Payee Name different in Check DB
AP00087068	V01695	AFSCME	09/02/10	840.00	MW	OH	
AP00087069	V01681	CALIFORNIA PUBLIC EMPLOYEES'	09/02/10	49,619.00	MW	OH	Payee Name different in Check DB
AP00087070	V07287	CITY OF COVINA-FSA	09/02/10	1,904.00	MW	OH	
AP00087071	V01686	COVINA POLICE ASSOCIATION	09/02/10	1,860.00	MW	OH	
AP00087072	V02095	COVINA POLICE ASSOCIATION	09/02/10	960.00	MW	OH	
AP00087073	CRA	COVINA REDEVELOPMENT AGENCY	09/02/10	1,000.00	MW	OH	
AP00087074	V01697	COVINA, CITY OF	09/02/10	6,191.99	MW	OH	
AP00087075	V02879	COVINA, CITY OF	09/02/10	39.80	MW	OH	
AP00087076	V05506	COVINA, CITY OF	09/02/10	19,692.07	MW	OH	
AP00087077	V06385	CSAC-EIA	09/02/10	4,084.06	MW	OH	
AP00087078	V06386	CSAC-EIA	09/02/10	1,436.38	MW	OH	
AP00087079	V05186	DELTA DENTAL OF CALIFORNIA	09/02/10	5,067.60	MW	OH	
AP00087080	V07259	FLEX ONE	09/02/10	26.00	MW	OH	Payee Name different in Check DB
AP00087081	V01692	GREAT WEST LIFE & ANNUITY	09/02/10	3,567.50	MW	OH	
AP00087082	V01694	HARTFORD LIFE INS	09/02/10	9.68	MW	OH	Payee Name different in Check DB
AP00087083	V01691	ICMA RETIREMENT TRUST-457	09/02/10	5,491.00	MW	OH	
AP00087084	V07302	ICMA RETIREMENT TRUST-401	09/02/10	680.44	MW	OH	
AP00087085	V01690	NATIONAL DEFERRED COMPENSATIO	09/02/10	4,142.50	MW	OH	Payee Name different in Check DB
AP00087086	V01693	PERS LONG TERM CARE PROGRAM	09/02/10	329.16	MW	OH	
AP00087087	V01687	PERS	09/02/10	70,906.80	MW	OH	
AP00087088	V04828	UNION BANK OF CALIFORNIA	09/02/10	4,749.02	MW	OH	
AP00087089	V01696	UNITED WAY OF GREATER LA	09/02/10	45.41	MW	OH	Payee Name different in Check DB
AP00087090	V06785	VISION SERVICE PLAN (CA)	09/02/10	497.94	MW	OH	

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
=====							
G R A N D T O T A L S:							
Total Void Machine Written				0.00	Number of Checks Processed:		0
Total Void Hand Written				0.00	Number of Checks Processed:		0
Total Machine Written				186,527.11	Number of Checks Processed:		24
Total Hand Written				0.00	Number of Checks Processed:		0
Total Reversals				0.00	Number of Checks Processed:		0
Total Cancelled Checks				0.00	Number of Checks Processed:		0
Total EFTs				0.00	Number of EFTs Processed:		0
G R A N D T O T A L				186,527.11			

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
AP00087091	V04747	10-8 RETROFIT	09/08/10	360.00	MW	OH	
AP00087092	V06357	911TLC-TRAINING/LEARNING/COMM	09/08/10	85.00	MW	OH	
AP00087093	V06357	911TLC-TRAINING/LEARNING/COMM	09/08/10	170.00	MW	OH	
AP00087094	V06326	A & B ELECTRIC	09/08/10	376.00	MW	OH	
AP00087095	V05055	AGI ACADEMY	09/08/10	280.00	MW	OH	
AP00087096	V07542	AKEY, MARJORIE	09/08/10	207.90	MW	OH	
AP00087097	V07014	ALAS, NINA	09/08/10	154.00	MW	OH	
AP00087098	V00046	ALBERTSONS GROCERY WAREHOUSE	09/08/10	247.27	MW	OH	
AP00087099	V03802	AMC THEATRE	09/08/10	825.00	MW	OH	
AP00087100	V07157	ANGELES, LEAH	09/08/10	465.50	MW	OH	
AP00087101	V07312	ANURA K. T. DESILVA	09/08/10	2,500.00	MW	OH	
AP00087102	V01660	AT&T	09/08/10	94.70	MW	OH	
AP00087103	V00089	B & K ELECTRIC WHOLESALE	09/08/10	83.64	MW	OH	Payee Name different in Check DB
AP00087104	V07613	BALDERRAMA, THOMAS	09/08/10	75.84	MW	OH	
AP00087105	V02861	BARNES & NOBLE BOOKSELLERS	09/08/10	650.00	MW	OH	
AP00087106	V05589	BELL BUILDING MAINTENANCE CO	09/08/10	3,205.00	MW	OH	
AP00087107	V02591	BEST BEST & KRIEGER LLP	09/08/10	24,501.08	MW	OH	
AP00087108	V07139	BETHKE, BETTY JO	09/08/10	65.33	MW	OH	
AP00087109	V04061	BROWN MOTOR WORKS INC	09/08/10	455.47	MW	OH	
AP00087110	V00254	BRUNSWICK COVINA BOWL	09/08/10	437.50	MW	OH	Payee Name different in Check DB
AP00087111	V07134	CALI BEE MUSIC INC	09/08/10	400.00	MW	OH	
AP00087112	V00139	CALIBER POOL AND SPA SVC	09/08/10	3,042.43	MW	OH	
AP00087113	V07038	CALLANDRILLO JR., GEORGE	09/08/10	259.88	MW	OH	
AP00087114	V07156	CALLISON, JACQUELYN	09/08/10	604.33	MW	OH	
AP00087115	V05302	CELAYA, VERA FLORES	09/08/10	234.15	MW	OH	Payee Name different in Check DB

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
AP00087116	V00186	CENTURY OFFICE PRODUCTS	09/08/10	176.76	MW	OH	
AP00087117	V02958	CERTIFIED UNDERCAR PARTS	09/08/10	141.24	MW	OH	
AP00087118	V00190	CHARTER OAK GYMNASTICS INC	09/08/10	1,764.00	MW	OH	
AP00087119	V04824	CHARTER OAK HARDWARE	09/08/10	10.95	MW	OH	
AP00087120	V07110	CHEFELLE	09/08/10	805.00	MW	OH	
AP00087121	V05555	CINTAS CORP #693	09/08/10	243.86	MW	OH	
AP00087122	V06072	COLLEY AUTO CARS INC.	09/08/10	279.96	MW	OH	
AP00087123	V05738	CONDE, ROSALIA	09/08/10	780.00	MW	OH	
AP00087124	V05948	CORBIN, CLARA	09/08/10	1,676.50	MW	OH	
AP00087125	V00256	COVINA DISPOSAL CO	09/08/10	11,361.56	MW	OH	
AP00087126	CRA	COVINA REDEVELOPMENT AGENCY	09/08/10	2490,000.00	MW	OH	
AP00087127	V02742	CRAIG'S CPR&FIRST AID TRAININ	09/08/10	532.00	MW	OH	
AP00087128	V07016	DOMINAIDE	09/08/10	43.02	MW	OH	
AP00087129	V00175	EDISON CO	09/08/10	106,196.76	MW	OH	
AP00087130	V00307	EDS AUTO PARTS	09/08/10	11.51	MW	OH	
AP00087131	V07593	ENNIS TRAFFIC SAFETY SOLUTION	09/08/10	910.38	MW	OH	
AP00087132	V06067	FACTORCO	09/08/10	4,832.79	MW	OH	Payee Name different in Check DB
AP00087133	V06453	FAMILY AUTO CARE	09/08/10	701.24	MW	OH	
AP00087134	V00176	FEDEX	09/08/10	53.93	MW	OH	
AP00087135	V07496	GAP INC	09/08/10	625.00	MW	OH	
AP00087136	V01211	GLENDORA DODGE	09/08/10	15.37	MW	OH	
AP00087137	V00730	GOLDEN STATE WATER COMPANY	09/08/10	294.19	MW	OH	Payee Name different in Check DB
AP00087138	V04325	GONZALES, RICHARD	09/08/10	898.45	MW	OH	
AP00087139	V00374	GRAINGER	09/08/10	185.72	MW	OH	Payee Name different in Check DB
AP00087140	V03138	HERNANDEZ, RACQUEL	09/08/10	1,812.93	MW	OH	



Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel	To Note
=====	=====	=====	=====	=====	=====	=====	=====	=====
AP00087141	V07294	HOLLIDAY ROCK CO INC	09/08/10	1,690.71	MW	OH		
AP00087142	V00006	HOME DEPOT	09/08/10	656.50	MW	OH		
AP00087143	V00414	HOSE MAN INC, THE	09/08/10	80.42	MW	OH		Payee Name different in Check DB
AP00087144	V06564	HUGHES, TAYLOR	09/08/10	350.00	MW	OH		
AP00087145	V00418	ICC INTERNATIONAL CODE COUNCI	09/08/10	4,951.54	MW	OH		Payee Name different in Check DB
AP00087146	V03803	IKEA CALIFORNIA LLC #413	09/08/10	25.00	MW	OH		Payee Name different in Check DB
AP00087147	V00213	INLAND EMPIRE STAGES	09/08/10	1,069.50	MW	OH		
AP00087148	V00426	INLAND WATER WORKS	09/08/10	2,599.43	MW	OH		
AP00087149	V00777	J.G. TUCKER AND SON	09/08/10	136.86	MW	OH		Payee Name different in Check DB
AP00087150	V06049	JAIME, SANDRA	09/08/10	168.23	MW	OH		
AP00087151	V00445	JEECO MFG & SUPPLY	09/08/10	95.28	MW	OH		Payee Name different in Check DB
AP00087152	V07173	JOHN L. HUNTER	09/08/10	2,342.50	MW	OH		
AP00087153	V00448	JOHNNY'S POOL SERVICE	09/08/10	15.34	MW	OH		Payee Name different in Check DB
AP00087154	V07138	JONES, L.A.	09/08/10	400.00	MW	OH		
AP00087155	V07325	JOSEPH ESCOBEDO	09/08/10	140.00	MW	OH		Payee Name different in Check DB
AP00087156	V05490	JS CONSULTANTS	09/08/10	34,552.00	MW	OH		
AP00087157	V00441	JW LOCK CO INC	09/08/10	64.92	MW	OH		
AP00087158	V00458	KEYSTONE UNIFORM DEPOT	09/08/10	131.54	MW	OH		Payee Name different in Check DB
AP00087159	V07020	KIMBALL MIDWEST	09/08/10	16.01	MW	OH		
AP00087160	V00182	KMART STORE 4281	09/08/10	44.21	MW	OH		
AP00087161	V02998	KUSTOM SIGNALS INC	09/08/10	267.82	MW	OH		
AP00087162	V02741	KYLE, PATRICIA	09/08/10	586.98	MW	OH		
AP00087163	V05585	LAM, LY CHOU	09/08/10	273.00	MW	OH		
AP00087164	V07443	LAPD REVOLVING TRAINING FUND	09/08/10	300.00	MW	OH		
AP00087165	V07443	LAPD REVOLVING TRAINING FUND	09/08/10	300.00	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel	To Note
AP00087166	V07017	LARSEN, MICHAEL	09/08/10	163.33	MW	OH		
AP00087167	V00496	LEWIS ENGRAVING INC	09/08/10	206.33	MW	OH		
AP00087168	V02554	MARQUEZ, LUPE	09/08/10	505.00	MW	OH		Payee Name different in Check DB
AP00087169	V06660	MCCLURE, LINDA	09/08/10	9.00	MW	OH		
AP00087170	V07607	METRO PCS INC	09/08/10	500.00	MW	OH		
AP00087171	V01240	MISSION LINEN SUPPLY	09/08/10	373.58	MW	OH		
AP00087172	V00573	NAPA AUTO PARTS	09/08/10	21.93	MW	OH		
AP00087173	V07163	NOTTI, PAMELA SUE	09/08/10	98.00	MW	OH		
AP00087174	V07404	O REILLY AUTO PARTS	09/08/10	442.95	MW	OH		
AP00087175	V07611	OCEAN INSTITUTE	09/08/10	490.00	MW	OH		
AP00087176	V01136	OFFICE DEPOT	09/08/10	61.96	MW	OH		
AP00087177	V07612	PACIFIC SALES KITCHEN AND	09/08/10	3,848.88	MW	OH		
AP00087178	V07018	PARADA, MIGUEL	09/08/10	514.50	MW	OH		
AP00087179	V07137	PARISH, RICHARD	09/08/10	300.00	MW	OH		
AP00087180	V05482	PECK ROAD TRUCK CENTER	09/08/10	267.82	MW	OH		
AP00087181	V01687	PERS	09/08/10	6,918.29	MW	OH		
AP00087182	V01471	PETERSON, GREGG	09/08/10	24.00	MW	OH		
AP00087183	V04972	POLLARDWATER DOT COM	09/08/10	80.04	MW	OH		
AP00087184	V00650	PUENTE READY MIX INC	09/08/10	555.34	MW	OH		
AP00087185	V05299	RAMOS, VERONICA	09/08/10	586.60	MW	OH		
AP00087186	V07501	RC KEMP CONSULTING LLC	09/08/10	2,895.00	MW	OH		
AP00087187	V06114	REPUBLIC MASTER CHEFS	09/08/10	89.87	MW	OH		
AP00087188	V01638	RIOS, ARVENA	09/08/10	37.72	MW	OH		Payee Name different in Check DB
AP00087189	V07042	SALAZAR, JOEL	09/08/10	131.25	MW	OH		
AP00087190	V00880	SERESINGHE, AJITH	09/08/10	1,600.00	MW	OH		Payee Name different in Check DB

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
AP00087191	V02292	SEVOLD, CHERYL	09/08/10	571.67	MW	OH	
AP00087192	V04432	SGVLEEA	09/08/10	210.00	MW	OH	
AP00087193	V06146	SMITH, CRYSTAL	09/08/10	155.61	MW	OH	
AP00087194	V01158	SOUTH COAST A.Q.M.D.	09/08/10	575.59	MW	OH	
AP00087195	V06661	STEVENSON, ROY	09/08/10	191.10	MW	OH	
AP00087196	V04870	THE ANSWERBAND INC	09/08/10	700.00	MW	OH	Payee Name different in Check DB
AP00087197	V07135	THEE RHYTHM KINGS	09/08/10	300.00	MW	OH	
AP00087198	V04501	THOMAS, TERRI	09/08/10	1,222.77	MW	OH	
AP00087199	V07008	TIME WARNER CABLE	09/08/10	145.70	MW	OH	
AP00087200	V07610	TONY GERALD FAMILARI	09/08/10	225.00	MW	OH	
AP00087201	V05054	TRIFYTT SPORTS	09/08/10	1,413.26	MW	OH	
AP00087202	V07019	TRUJILLO WORDEN-MEACHAM,	09/08/10	128.33	MW	OH	
AP00087203	V02035	TURNER, LEANNE	09/08/10	490.00	MW	OH	
AP00087204	V05307	UTILITY BOARD SHOP INC.	09/08/10	525.00	MW	OH	
AP00087205	V00791	VALLEY TROPHY	09/08/10	424.00	MW	OH	
AP00087206	V07356	VAN LEEUWEN, JOACHIM	09/08/10	169.16	MW	OH	
AP00087207	V07141	VELOSA-REDENIUS, AMANDA	09/08/10	83.44	MW	OH	
AP00087208	V07403	VERIZON CALIFORNIA	09/08/10	563.30	MW	OH	
AP00087209	V04820	VILLALPANDO, MELISSA	09/08/10	8.00	MW	OH	
AP00087210	V00158	VULCAN MATERIALS COMPANY	09/08/10	697.25	MW	OH	Payee Name different in Check DB
AP00087211	V07358	WAKAYAMA, ASHLEY	09/08/10	45.73	MW	OH	
AP00087212	V01618	WALCZAK, RIC	09/08/10	24.00	MW	OH	Payee Name different in Check DB
AP00087213	V03567	WALMART	09/08/10	1,650.00	MW	OH	
AP00087214	V01119	WARREN DISTRIBUTING INC	09/08/10	589.81	MW	OH	Payee Name different in Check DB
AP00087215	V06602	WELLDYNERX	09/08/10	21.91	MW	OH	

Check	Payee ID	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
AP000087216	V00812	WEST COAST ARBORISTS INC	09/08/10	258.80	MW	OH	
AP000087217	V00202	WEST COVINA, CITY OF	09/08/10	9,182.09	MW	OH	
AP000087218	V07606	WHEELER PAVING INC	09/08/10	53,020.80	MW	OH	
AP000087219	V00821	WILLDAN	09/08/10	540.00	MW	OH	Payee Name different in Check DB
AP000087220	V05565	YAP, ALBERTO	09/08/10	194.25	MW	OH	
G R A N D T O T A L S:							
Total Void Machine Written				0.00	Number of Checks Processed: 0		
Total Void Hand Written				0.00	Number of Checks Processed: 0		
Total Machine Written				2810,438.89	Number of Checks Processed: 130		
Total Hand Written				0.00	Number of Checks Processed: 0		
Total Reversals				0.00	Number of Checks Processed: 0		
Total Cancelled Checks				0.00	Number of Checks Processed: 0		
Total EFTs				0.00	Number of EFTs Processed: 0		
G R A N D T O T A L				2810,438.89			

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel	To Note
AP00087221	V04747	10-8 RETROFIT	09/14/10	1,403.80	MW	OH		
AP00087222	V05630	A-1 POWER SWEEPING CO INC	09/14/10	600.00	MW	OH		
AP00087223	V00019	AARDVARK TACTICAL INC	09/14/10	723.22	MW	OH		
AP00087224	V00022	ABORTA BUG INC	09/14/10	65.00	MW	OH		
AP00087225	V04342	ACE-1 AUTO SERVICE	09/14/10	45.00	MW	OH		
AP00087226	V06428	ADVANCED	09/14/10	2,244.08	MW	OH		
AP00087227	V07381	ALTA PLANNING & DESIGN	09/14/10	5,495.21	MW	OH		
AP00087228	V02224	AMERICAN WEST COAST SECURITY	09/14/10	100.00	MW	OH		
AP00087229	V07623	ANNE DUMOLT	09/14/10	5.60	MW	OH		
AP00087230	V02762	AQUA-METRIC SALES COMPANY	09/14/10	611.62	MW	OH		
AP00087231	V01660	AT&T	09/14/10	1,072.80	MW	OH		
AP00087232	V00090	BAKER AND TAYLOR INC	09/14/10	904.68	MW	OH		
AP00087233	V05637	BANK OF THE WEST	09/14/10	6,127.54	MW	OH		
AP00087234	V07169	BOOK WHOLESALERS INC	09/14/10	97.77	MW	OH		
AP00087235	V07620	BONE, JACQI	09/14/10	250.00	MW	OH		
AP00087236	V06683	BUILDING ELECTRONIC CONTROLS	09/14/10	75.00	MW	OH		
AP00087237	V05470	BURGUAN, RENE	09/14/10	650.00	MW	OH		
AP00087238	V06548	CALIFORNIA COMM FOUNDATION	09/14/10	40.00	MW	OH		
AP00087239	V01595	CANON BUS SOLUTIONS INC	09/14/10	916.84	MW	OH		Payee Name different in Check DB
AP00087240	V07136	CASTILLO, JOHN	09/14/10	400.00	MW	OH		
AP00087241	V00134	CAT SPECIALTIES INC	09/14/10	177.80	MW	OH		
AP00087242	V04535	CERTIFION CORP	09/14/10	75.00	MW	OH		
AP00087243	V07619	CGTF	09/14/10	135.00	MW	OH		
AP00087244	V07110	CHEFELLE	09/14/10	851.25	MW	OH		
AP00087245	V00193	CHEVRON PRODUCTS COMPANY	09/14/10	898.35	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
AP00087246	V05555	CINTAS CORP #693	09/14/10	121.93	MW	OH	
AP00087247	V00962	CITRUS CAR WASH	09/14/10	428.40	MW	OH	
AP00087248	V06119	COMMUNITY ACTION EAP	09/14/10	350.00	MW	OH	
AP00087249	V00240	COMPUTER SERVICE COMPANY	09/14/10	3,200.00	MW	OH	
AP00087250	V04222	CONOCO PHILLIPS FLEET	09/14/10	176.84	MW	OH	
AP00087251	V07204	COON, MARK	09/14/10	1,090.00	MW	OH	
AP00087252	V07204	COON, MARK	09/14/10	350.00	MW	OH	
AP00087253	V00234	COVINA IRRIGATING CO	09/14/10	217,405.75	MW	OH	
AP00087254	V07545	CPR SAVERS	09/14/10	4,381.56	MW	OH	
AP00087255	V06152	DEB'S BOOKKEEPPLUS	09/14/10	6,450.00	MW	OH	
AP00087256	V00283	DEMCO INC	09/14/10	186.36	MW	OH	
AP00087257	V01170	DOONAN, TIM	09/14/10	343.43	MW	OH	
AP00087258	V00307	EDS AUTO PARTS	09/14/10	43.79	MW	OH	
AP00087259	V07618	EMBASSY SUITES	09/14/10	215.20	MW	OH	
AP00087260	V05112	ENVISIONWARE	09/14/10	498.00	MW	OH	
AP00087261	V00176	FEDEX	09/14/10	11.98	MW	OH	
AP00087262	V00342	FOX VALLEY SYSTEMS INC	09/14/10	291.88	MW	OH	
AP00087263	V07206	FRET HOUSE	09/14/10	600.00	MW	OH	
AP00087264	V06433	GALE CENGAGE LEARNING	09/14/10	355.50	MW	OH	
AP00087265	V01211	GLENDORA DODGE	09/14/10	871.40	MW	OH	
AP00087266	V02926	GLENDORA, CITY OF	09/14/10	60.00	MW	OH	
AP00087267	V00374	GRAINGER	09/14/10	1,061.72	MW	OH	Payee Name different in Check DB
AP00087268	V00375	GRAND PRINTING	09/14/10	984.24	MW	OH	
AP00087269	V00409	HINDERLITER DELLAMAS & ASSOC	09/14/10	695.00	MW	OH	Payee Name different in Check DB
AP00087270	V07294	HOLLIDAY ROCK CO INC	09/14/10	327.61	MW	OH	

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel	To Note
AP00087271	V00006	HOME DEPOT	09/14/10	201.60	MW	OH		
AP00087272	V05549	HSBC BUSINESS SOLUTIONS	09/14/10	70.16	MW	OH		
AP00087273	V00417	HUNTINGTON COURT REPORTERS	09/14/10	834.30	MW	OH		Payee Name different in Check DB
AP00087274	V00233	HYDRO CONNECTIONS	09/14/10	562.15	MW	OH		Payee Name different in Check DB
AP00087275	V00425	INGRAM DIST GROUP	09/14/10	42.39	MW	OH		
AP00087276	V01291	IPMA-HR	09/14/10	360.00	MW	OH		Payee Name different in Check DB
AP00087277	V01174	JACOBS, DANIEL	09/14/10	8.00	MW	OH		Payee Name different in Check DB
AP00087278	V07476	JOHN J MOERS CONSTRUCTION	09/14/10	1,997.00	MW	OH		
AP00087279	V00441	JW LOCK CO INC	09/14/10	489.82	MW	OH		
AP00087280	V00451	KELLY PAPER CO	09/14/10	383.83	MW	OH		
AP00087281	V00463	KING BOLT CO	09/14/10	133.09	MW	OH		
AP00087282	V07617	KLYMKIW, MARISSA	09/14/10	862.50	MW	OH		
AP00087283	V00182	KMART STORE 4281	09/14/10	75.00	MW	OH		
AP00087284	V00479	LA CNTY MTA	09/14/10	448.00	MW	OH		Payee Name different in Check DB
AP00087285	V00496	LEWIS ENGRAVING INC	09/14/10	345.66	MW	OH		
AP00087286	V00497	LEWIS SAW AND LAWNMOWER	09/14/10	32.32	MW	OH		Payee Name different in Check DB
AP00087287	V00503	LIGHTHOUSE INC, THE	09/14/10	35.34	MW	OH		Payee Name different in Check DB
AP00087288	V01816	LOU'S GLASS HOUSE	09/14/10	112.93	MW	OH		Payee Name different in Check DB
AP00087289	V04792	MALINOSKI, JOHN	09/14/10	51.00	MW	OH		
AP00087290	V06820	MARTHA HEAVISIDE	09/14/10	632.00	MW	OH		
AP00087291	V06612	MEGGITT TRAINING SYSTEMS	09/14/10	2,096.24	MW	OH		
AP00087292	V05808	MELNYK, JOSEPH	09/14/10	8.00	MW	OH		
AP00087293	V07615	MERCURY INSURANCE COMPANY	09/14/10	18,142.72	MW	OH		
AP00087294	V00594	MICHAEL J O'DAY AND ASSOC	09/14/10	405.00	MW	OH		Payee Name different in Check DB
AP00087295	V01240	MISSION LINEN SUPPLY	09/14/10	205.05	MW	OH		

CITY OF COVINA 09/14/10 C H E C K R E G I S T E R CHECK REGISTER Page 4  
TUE, SEP 14, 2010, 8:29 AM --req: SSWANSON--leg: GL JL--loc: ADMIN-----job: 477695 #s023-----prog: CK200 <1.38>--report id: CKREG---

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel	To Note
AP00087296	V01160	MITCHELL REPAIR	09/14/10	1,998.00	MW	OH		
AP00087297	V07131	MUNICIPAL BUDGET AND	09/14/10	632.00	MW	OH		
AP00087298	V06687	NEUPORT FARMS INC	09/14/10	201.62	MW	OH		
AP00087299	V00797	OFFICE DEPOT	09/14/10	414.26	MW	OH		Payee Name different in Check DB
AP00087300	V05653	PALOS SPORTS	09/14/10	26.39	MW	OH		
AP00087301	V01471	PETERSON, GREGG	09/14/10	8.00	MW	OH		
AP00087302	V00639	POWER MAINT CORP	09/14/10	1,850.00	MW	OH		
AP00087303	V07288	QUALITY IMAGING SUPPLIES INC.	09/14/10	1,525.53	MW	OH		
AP00087304	V04406	RAMIREZ, ULRICH	09/14/10	51.00	MW	OH		
AP00087305	V07106	REGIONAL TAP SERVICE CENTER	09/14/10	1,002.98	MW	OH		
AP00087306	V06114	REPUBLIC MASTER CHEFS	09/14/10	182.30	MW	OH		
AP00087307	V00682	RODGERS & MC DONALD	09/14/10	6,701.67	MW	OH		Payee Name different in Check DB
AP00087308	V04793	RODRIGUEZ, DAVID	09/14/10	8.00	MW	OH		
AP00087309	V02873	S & J SALES	09/14/10	3,028.50	MW	OH		
AP00087310	V05429	SECOM INTERNATIONAL INC	09/14/10	112.50	MW	OH		
AP00087311	V04066	SECURITAS SECURITY SERVICES	09/14/10	10,039.45	MW	OH		
AP00087312	V01155	SGV CITY MANAGERS' ASSOC	09/14/10	55.00	MW	OH		Payee Name different in Check DB
AP00087313	V00727	SMART AND FINAL IRIS CORP	09/14/10	39.42	MW	OH		
AP00087314	V06146	SMITH, CRYSTAL	09/14/10	178.57	MW	OH		
AP00087315	V00734	SOUTHEAST CONSTRUCTION INC	09/14/10	7.73	MW	OH		
AP00087316	V06163	SOUTHLAND TRANSIT	09/14/10	41,415.79	MW	OH		
AP00087317	V00007	STAPLES INC	09/14/10	284.38	MW	OH		
AP00087318	V04453	STEVEN ENTERPRISES INC	09/14/10	626.45	MW	OH		
AP00087319	V00110	SUNGARD BI-TECH INC	09/14/10	10,905.47	MW	OH		Payee Name different in Check DB
AP00087320	V00757	TAG AMS INC	09/14/10	195.00	MW	OH		



Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note	
AP00087321	V07621	TAVAREZ, MARK	09/14/10	350.00	MW	OH		
AP00087322	V02723	TERRILL PUBLICATIONS	09/14/10	900.00	MW	OH		
AP00087323	V00346	THOMSON GALE	09/14/10	79.88	MW	OH		Payee Name different in Check DB
AP00087324	V05229	THYSSENKRUPP ELEVATOR	09/14/10	1,408.50	MW	OH		
AP00087325	V05776	TOSHIBA BUSINESS SOLUTIONS	09/14/10	65.49	MW	OH		
AP00087326	V00772	TRI-XECUTEX CORP	09/14/10	80.00	MW	OH		Payee Name different in Check DB
AP00087327	V00776	TRUGREEN LANDSCAPE	09/14/10	8,932.49	MW	OH		
AP00087328	V00975	TT MAILING SERVICE	09/14/10	75.00	MW	OH		
AP00087329	V00230	UNDERGROUND SERVICE ALERT	09/14/10	105.00	MW	OH		
AP00087330	V05462	UNITED TRAFFIC	09/14/10	257.23	MW	OH		
AP00087331	V00229	US POSTMASTER	09/14/10	414.38	MW	OH		
AP00087332	V03305	V & V MANUFACTURING	09/14/10	434.45	MW	OH		
AP00087333	V07559	Vargas, Monica	09/14/10	1,095.00	MW	OH		
AP00087334	V07403	VERIZON CALIFORNIA	09/14/10	688.00	MW	OH		
AP00087335	V02304	VICTORY EXTERMINATING INC	09/14/10	50.00	MW	OH		
AP00087336	V00158	VULCAN MATERIALS COMPANY	09/14/10	325.50	MW	OH		Payee Name different in Check DB
AP00087337	V04643	WELLS FARGO FINANCIAL LEASING	09/14/10	1,390.31	MW	OH		
AP00087338	V04327	WESTERN EMULSIONS INC	09/14/10	130.46	MW	OH		
AP00087339	V07595	WILES, SCOTT	09/14/10	318.17	MW	OH		
AP00087340	V02476	WOODFIN SUITES HOTEL	09/14/10	506.43	MW	OH		
AP00087341	V00829	XEROX CORPORATION	09/14/10	96.93	MW	OH		
AP00087342	V00831	Y TIRE SALES	09/14/10	328.39	MW	OH		

Check Payee ID. Payee Name Date Check Amount Type Subs Rel To Note  
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G R A N D T O T A L S:

Total Void Machine Written	0.00	Number of Checks Processed:	0
Total Void Hand Written	0.00	Number of Checks Processed:	0
Total Machine Written	392,521.87	Number of Checks Processed:	122
Total Hand Written	0.00	Number of Checks Processed:	0
Total Reversals	0.00	Number of Checks Processed:	0
Total Cancelled Checks	0.00	Number of Checks Processed:	0
Total EFTs	0.00	Number of EFTs Processed:	0
G R A N D T O T A L	392,521.87		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
AP00087343	V06191	AFLAC ACCT# YQ792	09/15/10	3,386.76	MW	OH	Payee Name different in Check DB
AP00087344	V01695	AFSCME	09/15/10	840.00	MW	OH	
AP00087345	V01681	CALIFORNIA PUBLIC EMPLOYEES'	09/15/10	48,585.88	MW	OH	Payee Name different in Check DB
AP00087346	V07287	CITY OF COVINA-FSA	09/15/10	1,904.00	MW	OH	
AP00087347	V01686	COVINA POLICE ASSOCIATION	09/15/10	1,860.00	MW	OH	
AP00087348	V02095	COVINA POLICE ASSOCIATION	09/15/10	960.00	MW	OH	
AP00087349	V01697	COVINA, CITY OF	09/15/10	6,101.17	MW	OH	
AP00087350	V02879	COVINA, CITY OF	09/15/10	39.80	MW	OH	
AP00087351	V05506	COVINA, CITY OF	09/15/10	22,279.01	MW	OH	
AP00087352	V06385	CSAC-EIA	09/15/10	4,122.18	MW	OH	
AP00087353	V06386	CSAC-EIA	09/15/10	1,425.01	MW	OH	
AP00087354	V05186	DELTA DENTAL OF CALIFORNIA	09/15/10	5,068.80	MW	OH	
AP00087355	V07259	FLEX ONE	09/15/10	26.00	MW	OH	Payee Name different in Check DB
AP00087356	V01692	GREAT WEST LIFE & ANNUITY	09/15/10	3,567.50	MW	OH	
AP00087357	V01694	HARTFORD LIFE INS	09/15/10	9.67	MW	OH	Payee Name different in Check DB
AP00087358	V01691	ICMA RETIREMENT TRUST-457	09/15/10	5,491.00	MW	OH	
AP00087359	V07302	ICMA RETIREMENT TRUST-401	09/15/10	680.45	MW	OH	
AP00087360	V01690	NATIONAL DEFERRED COMPENSATIO	09/15/10	3,717.50	MW	OH	Payee Name different in Check DB
AP00087361	V01693	PERS LONG TERM CARE PROGRAM	09/15/10	329.12	MW	OH	
AP00087362	V01687	PERS	09/15/10	72,215.54	MW	OH	
AP00087363	V04828	UNION BANK OF CALIFORNIA	09/15/10	2,916.78	MW	OH	
AP00087364	V01696	UNITED WAY OF GREATER LA	09/15/10	45.41	MW	OH	Payee Name different in Check DB
AP00087365	V06785	VISION SERVICE PLAN (CA)	09/15/10	506.70	MW	OH	

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
=====							
G R A N D T O T A L S:							
=====							
Total Void Machine Written				0.00	Number of Checks Processed:		
Total Void Hand Written				0.00	Number of Checks Processed:		
Total Machine Written				186,078.28	Number of Checks Processed:		
Total Hand Written				0.00	Number of Checks Processed:		
Total Reversals				0.00	Number of Checks Processed:		
Total Cancelled Checks				0.00	Number of Checks Processed:		
Total EFTs				0.00	Number of EFTs Processed:		
G R A N D T O T A L				186,078.28			

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel	To Note
AP00087366	V00846	ADVANCED GRAPHIX INC	09/21/10	20.50	MW	OH		
AP00087367	V00040	AIRGAS-WEST	09/21/10	89.79	MW	OH		Payee Name different in Check DB
AP00087368	V07268	ALLANA-BUICK-BERS	09/21/10	34,855.16	MW	OH		
AP00087369	V07312	ANURA K. T. DESILVA	09/21/10	2,500.00	MW	OH		
AP00087370	V04864	AT&T MOBILITY	09/21/10	1,064.61	MW	OH		Payee Name different in Check DB
AP00087371	V07392	ATKINSON, ANDELSON, LOYA,	09/21/10	2,948.75	MW	OH		
AP00087372	V01955	AZUSA PLUMBING & HEATING SUPPL	09/21/10	3.74	MW	OH		
AP00087373	V00114	BLAKE PAPER CO	09/21/10	45.44	MW	OH		Payee Name different in Check DB
AP00087374	V05481	BRASS STARR PRODUCTIONS	09/21/10	3,796.00	MW	OH		
AP00087375	V00149	CALIF, STATE OF	09/21/10	21,424.00	MW	OH		
AP00087376	V00151	CALIF, STATE OF	09/21/10	384.00	MW	OH		
AP00087377	V03231	CALPERS EDUCATIONAL FORUM	09/21/10	600.00	MW	OH		Payee Name different in Check DB
AP00087378	V01595	CANON BUS SOLUTIONS INC	09/21/10	544.50	MW	OH		Payee Name different in Check DB
AP00087379	V04096	CCAC	09/21/10	195.00	MW	OH		
AP00087380	V05555	CINTAS CORP #693	09/21/10	121.93	MW	OH		
AP00087381	V00962	CITRUS CAR WASH	09/21/10	47.80	MW	OH		
AP00087382	V06072	COLLEY AUTO CARS INC.	09/21/10	16.07	MW	OH		
AP00087383	V05331	COMMERCIAL DOOR CO INC	09/21/10	904.15	MW	OH		
AP00087384	V00256	COVINA DISPOSAL CO	09/21/10	11,589.41	MW	OH		
AP00087385	V00262	COVINA RENTS	09/21/10	526.80	MW	OH		
AP00087386	V00837	COVINA WATER & REFUSE, CITY O	09/21/10	1,122.32	MW	OH		Payee Name different in Check DB
AP00087387	V00839	COVINA, CITY OF	09/21/10	4,939.02	MW	OH		Payee Name different in Check DB
AP00087388	V04027	CRAFCO INC	09/21/10	1,728.56	MW	OH		Payee Name different in Check DB
AP00087389	V07627	CRIME REPORTS	09/21/10	588.00	MW	OH		
AP00087390	V04219	CSI SERVICES INC	09/21/10	4,400.00	MW	OH		

CITY OF COVINA			09/21/10			C H E C K			R E G I S T E R			CHECK REGISTER			Page 2		
TUE, SEP 21, 2010, 8:12 AM			--req: SSWANSON--leg: GL JL--loc: ADMIN-----job: 478427 #S025-----prog: CK200 <1.38>--report id: CKREG----														
Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel	To Note									
AP00087391	V00175	EDISON CO	09/21/10	1,967.31	MW	OH											
AP00087392	V00307	EDS AUTO PARTS	09/21/10	48.13	MW	OH											
AP00087393	V07046	ELITE SPECIAL EVENTS INC	09/21/10	975.00	MW	OH											
AP00087394	V00176	FEDEX	09/21/10	15.38	MW	OH											
AP00087395	V00350	GAS COMPANY, THE	09/21/10	1,046.28	MW	OH			Payee Name different in Check DB								
AP00087396	V02471	GOLDEN STATE OVERNIGHT	09/21/10	7.43	MW	OH											
AP00087397	V00730	GOLDEN STATE WATER COMPANY	09/21/10	45.37	MW	OH											
AP00087398	V01933	GOVT FINANCE OFFICERS ASSOC	09/21/10	305.00	MW	OH			Payee Name different in Check DB								
AP00087399	V00374	GRAINGER	09/21/10	1,169.87	MW	OH											
AP00087400	V00375	GRAND PRINTING	09/21/10	1,789.59	MW	OH											
AP00087401	V04794	GREENE, ALEJANDRA	09/21/10	85.57	MW	OH			Payee Name different in Check DB								
AP00087402	V00212	HAAKER EQUIPMENT CO	09/21/10	144.52	MW	OH											
AP00087403	V03659	HAEBE, CYNTHIA	09/21/10	2,392.50	MW	OH											
AP00087404	V03693	HASLER INC	09/21/10	589.89	MW	OH											
AP00087405	V07294	HOLLIDAY ROCK CO INC	09/21/10	869.76	MW	OH											
AP00087406	V00006	HOME DEPOT	09/21/10	1,174.18	MW	OH											
AP00087407	V00233	HYDRO CONNECTIONS	09/21/10	879.03	MW	OH			Payee Name different in Check DB								
AP00087408	V00213	INLAND EMPIRE STAGES	09/21/10	1,146.50	MW	OH											
AP00087409	V00426	INLAND WATER WORKS	09/21/10	3,019.45	MW	OH											
AP00087410	V06816	INTER-CON SECURITY SYSTEMS IN	09/21/10	5,335.69	MW	OH											
AP00087411	V03518	JAIME, LUIS	09/21/10	20.00	MW	OH											
AP00087412	V00445	JEECO MFG & SUPPLY	09/21/10	21.95	MW	OH			Payee Name different in Check DB								
AP00087413	V00448	JOHNNY'S POOL SERVICE	09/21/10	15.34	MW	OH											
AP00087414	V05490	JS CONSULTANTS	09/21/10	38,000.00	MW	OH			Payee Name different in Check DB								
AP00087415	V00441	JW LOCK CO INC	09/21/10	485.45	MW	OH											

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel	To Note
=====	=====	=====	=====	=====	=====	=====	=====	=====
AP00087416	V04311	KERNS, JASON	09/21/10	51.21	MW	OH		
AP00087417	V00474	LA CNTY CDC/CDBG	09/21/10	2,640.00	MW	OH		Payee Name different in Check DB
AP00087418	V00478	LA CNTY FIRE DEPARTMENT	09/21/10	637,287.00	MW	OH		Payee Name different in Check DB
AP00087419	V06578	LA COUNTY REGISTRAR/RECORDER	09/21/10	41.00	MW	OH		
AP00087420	V06324	LANGUAGE LINE SERVICES INC	09/21/10	55.46	MW	OH		
AP00087421	V05366	LEAGUE OF CALIF CITIES	09/21/10	70.00	MW	OH		
AP00087422	V00496	LEWIS ENGRAVING INC	09/21/10	109.75	MW	OH		
AP00087423	V00501	LIEBERT CASSIDY WHITMORE	09/21/10	16,037.30	MW	OH		Payee Name different in Check DB
AP00087424	V06533	MACIAS GINI & O'CONNELL LLP	09/21/10	8,135.00	MW	OH		
AP00087425	V07625	MCC CARPET CLEANING INC	09/21/10	89.00	MW	OH		
AP00087426	V05453	MCCORD, MAURY	09/21/10	35.70	MW	OH		
AP00087427	V00551	MILLERS & ISHAMS FIRE	09/21/10	252.16	MW	OH		Payee Name different in Check DB
AP00087428	V01240	MISSION LINEN SUPPLY	09/21/10	106.73	MW	OH		
AP00087429	V00972	MORAN, JAMES	09/21/10	600.00	MW	OH		
AP00087430	V06687	NEWPORT FARMS INC	09/21/10	98.98	MW	OH		
AP00087431	V07588	NIE, DALIN	09/21/10	159.00	MW	OH		
AP00087432	V07027	NORCAL SWIM SHOP	09/21/10	81.06	MW	OH		
AP00087433	V05717	OFFICE MAX CONTRACT INC	09/21/10	9.85	MW	OH		
AP00087434	V07624	PAI, SUJAN	09/21/10	154.53	MW	OH		
AP00087435	V04971	PARS	09/21/10	403.66	MW	OH		
AP00087436	V07597	PVP COMMUNICATIONS	09/21/10	45.00	MW	OH		
AP00087437	V07501	RC KEMP CONSULTING LLC	09/21/10	1,935.00	MW	OH		
AP00087438	V07622	RENAISSANCE ESERALDA	09/21/10	351.00	MW	OH		
AP00087439	V06114	REPUBLIC MASTER CHEFS	09/21/10	113.10	MW	OH		
AP00087440	V00676	REYNOLDS BUICK INC	09/21/10	227.80	MW	OH		Payee Name different in Check DB

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel	To Note
AP00087441	V05907	RF CONSULTING	09/21/10	6,432.29	MW	OH		
AP00087442	V01624	SAN DIMAS, CITY OF	09/21/10	2,427.05	MW	OH		
AP00087443	V04895	SAN GABRIEL VALLEY TRIBUNE	09/21/10	2,736.27	MW	OH		
AP00087444	V01504	SCMAF-SAN GABRIEL VALLEY	09/21/10	25.00	MW	OH		
AP00087445	V00727	SMART AND FINAL IRIS CORP	09/21/10	262.74	MW	OH		
AP00087446	V01190	SNAP ON TOOLS	09/21/10	22.01	MW	OH		
AP00087447	V00737	SPARKLETTIS	09/21/10	30.99	MW	OH		
AP00087448	V07609	STANCIL SOLUTIONS	09/21/10	246.94	MW	OH		
AP00087449	V00007	STAPLES INC	09/21/10	723.05	MW	OH		
AP00087450	V00754	SUPERB GRAPHICS INC	09/21/10	430.22	MW	OH		
AP00087451	V04985	SYN-TECH SYSTEMS INC	09/21/10	67.88	MW	OH		
AP00087452	V03858	UPS	09/21/10	19.44	MW	OH		
AP00087453	V05461	URBAN GRAFFITI ENTERPRISES IN	09/21/10	5,700.00	MW	OH		
AP00087454	V00229	US POSTMASTER	09/21/10	426.73	MW	OH		
AP00087455	V04113	USA MOBILITY WIRELESS INC	09/21/10	43.96	MW	OH		
AP00087456	V07403	VERIZON CALIFORNIA	09/21/10	639.91	MW	OH		
AP00087457	V06602	WELLDYNERX	09/21/10	62.23	MW	OH		
AP00087458	V00202	WEST COVINA, CITY OF	09/21/10	5,000.00	MW	OH		
AP00087459	V00814	WEST GROUP PAYMENT CENTER	09/21/10	153.68	MW	OH		
AP00087460	V06911	XO COMMUNICATIONS SERVICES IN	09/21/10	5,084.20	MW	OH		

Payee Name different in Check D8

Payee Name different in Check D8



Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
=====							
G R A N D T O T A L S:							
=====							
Total Void Machine Written				0.00		Number of Checks Processed:	0
Total Void Hand Written				0.00		Number of Checks Processed:	0
Total Machine Written				855,628.62		Number of Checks Processed:	95
Total Hand Written				0.00		Number of Checks Processed:	0
Total Reversals				0.00		Number of Checks Processed:	0
Total Cancelled Checks				0.00		Number of Checks Processed:	0
Total EFTs				0.00		Number of EFTs Processed:	0
G R A N D T O T A L				855,628.62			

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel	To Note
AP00087461	V04342	ACE-1 AUTO SERVICE	09/28/10	45.00	MW	OH		
AP00087462	V06611	ADVANTEC CONSULTING ENGINEERS	09/28/10	15,369.73	MW	OH		Payee Name different in Check DB
AP00087463	V00040	AIRGAS-WEST	09/28/10	154.80	MW	OH		
AP00087464	V04434	ALL CITY MANAGEMENT SVC	09/28/10	4,170.00	MW	OH		
AP00087465	V06189	ALLIANT INSURANCE SERVICES	09/28/10	1,711.25	MW	OH		
AP00087466	V00051	ALLSTATE POLICE EQUIPMENT INC	09/28/10	1,421.27	MW	OH		
AP00087467	V07381	ALTA PLANNING & DESIGN	09/28/10	4,324.00	MW	OH		
AP00087468	V06519	AMERICAN TRAFFIC SOLUTIONS	09/28/10	16,185.00	MW	OH		
AP00087469	V07449	ANTHEM BLUE CROSS	09/28/10	511.87	MW	OH		
AP00087470	V03128	ASTRA INDUSTRIAL SERVICES	09/28/10	1,067.20	MW	OH		
AP00087471	V01660	AT&T	09/28/10	791.87	MW	OH		
AP00087472	V00090	BAKER AND TAYLOR INC	09/28/10	1,046.53	MW	OH		Payee Name different in Check DB
AP00087473	V07100	BANK OF THE WEST	09/28/10	9,395.07	MW	OH		
AP00087474	V04888	BBC AUDIOBOOKS AMERICA	09/28/10	17.56	MW	OH		
AP00087475	V00114	BLAKE PAPER CO	09/28/10	99.09	MW	OH		Payee Name different in Check DB
AP00087476	V07218	BLUE SHIELD OF CALIFORNIA	09/28/10	866.36	MW	OH		
AP00087477	V05332	BW1 GENERAL LICENSING	09/28/10	305.00	MW	OH		Payee Name different in Check DB
AP00087478	V00127	BRODART CO	09/28/10	143.91	MW	OH		
AP00087479	V04061	BROWN MOTOR WORKS INC	09/28/10	2,609.83	MW	OH		Payee Name different in Check DB
AP00087480	V00144	CA PARKS AND REC SOCIETY	09/28/10	155.00	MW	OH		
AP00087481	V00139	CALIBER POOL AND SPA SVC	09/28/10	320.95	MW	OH		
AP00087482	V00186	CENTURY OFFICE PRODUCTS	09/28/10	654.84	MW	OH		
AP00087483	V07629	CIANFROCCA, FRED	09/28/10	69.37	MW	OH		
AP00087484	V05555	CINTAS CORP #693	09/28/10	121.93	MW	OH		
AP00087485	V03592	CITRUS AUTO UPHOLSTERY	09/28/10	187.42	MW	OH		

.Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
AP00087486	V00208	CLINICAL LAB OF SAN BERNARDIN	09/28/10	1,010.00	MW	OH	
AP00087487	V06072	COLLEY AUTO CARS INC.	09/28/10	117.97	MW	OH	
AP00087488	V00237	COMMUNICATIONS CENTER	09/28/10	795.17	MW	OH	
AP00087489	V00240	COMPUTER SERVICE COMPANY	09/28/10	7,099.88	MW	OH	
AP00087490	V07550	COPLOGIC INC.	09/28/10	23,100.00	MW	OH	
AP00087491	V00248	COUNSELING TEAM, THE	09/28/10	720.00	MW	OH	Payee Name different in Check DB
AP00087492	V00262	COVINA RENTS	09/28/10	250.24	MW	OH	
AP00087493	V00837	COVINA WATER & REFUSE, CITY O	09/28/10	1,340.16	MW	OH	Payee Name different in Check DB
AP00087494	V00838	COVINA, CITY OF	09/28/10	369.55	MW	OH	Payee Name different in Check DB
AP00087495	V06278	CREATIVE BUS SALES	09/28/10	2,017.09	MW	OH	
AP00087496	V06385	CSAC-EIA	09/28/10	9.04	MW	OH	
AP00087497	V07626	CYCLEGiant.COM/WINGSTUFF.COM	09/28/10	367.34	MW	OH	
AP00087498	V06792	DAPEER ROSENBLIT & LITVAK LLP	09/28/10	1,534.24	MW	OH	
AP00087499	V05186	DELTA DENTAL OF CALIFORNIA	09/28/10	844.70	MW	OH	
AP00087500	V00199	EAST DISTRICT SUPERIOR COURT	09/28/10	56.00	MW	OH	Payee Name different in Check DB
AP00087501	V00199	EAST DISTRICT SUPERIOR COURT	09/28/10	22,148.00	MW	OH	Payee Name different in Check DB
AP00087502	V00175	EDISON CO	09/28/10	1,503.01	MW	OH	
AP00087503	V00307	EDS AUTO PARTS	09/28/10	251.37	MW	OH	
AP00087504	V07046	ELITE SPECIAL EVENTS INC	09/28/10	975.00	MW	OH	
AP00087505	V00176	FEDEX	09/28/10	19.25	MW	OH	
AP00087506	V00350	GAS COMPANY, THE	09/28/10	386.57	MW	OH	Payee Name different in Check DB
AP00087507	V02471	GOLDEN STATE OVERNIGHT	09/28/10	16.54	MW	OH	
AP00087508	V05356	GRUNING PRECISION	09/28/10	728.88	MW	OH	
AP00087509	V00006	HOME DEPOT	09/28/10	812.00	MW	OH	
AP00087510	V00417	HUNTINGTON COURT REPORTERS	09/28/10	622.00	MW	OH	Payee Name different in Check DB

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
AP00087511	V00424	INGLEWOOD, CITY OF	09/28/10	2,655.34	MW	OH	Payee Name different in Check DB
AP00087512	V00425	INGRAM DIST GROUP	09/28/10	37.24	MW	OH	
AP00087513	V00213	INLAND EMPIRE STAGES	09/28/10	673.50	MW	OH	
AP00087514	V00426	INLAND WATER WORKS	09/28/10	4,647.70	MW	OH	
AP00087515	V00777	J.G. TUCKER AND SON	09/28/10	190.41	MW	OH	Payee Name different in Check DB
AP00087516	V07476	JOHN J MOOERS CONSTRUCTION	09/28/10	2,570.00	MW	OH	
AP00087517	V00441	JW LOCK CO INC	09/28/10	8.40	MW	OH	
AP00087518	V07617	KLYMKIW, MARISSA	09/28/10	270.00	MW	OH	
AP00087519	V00475	LA CNTY DEPT OF ANIMAL CARE	09/28/10	11,680.41	MW	OH	Payee Name different in Check DB
AP00087520	V00479	LA CNTY MTA	09/28/10	518.00	MW	OH	Payee Name different in Check DB
AP00087521	V00501	LIEBERT CASSIDY WHITMORE	09/28/10	175.00	MW	OH	Payee Name different in Check DB
AP00087522	V00502	LIFE ASSIST INC	09/28/10	195.90	MW	OH	
AP00087523	V07630	LOPEZ, CHRIS	09/28/10	2.00	MW	OH	
AP00087524	V07633	MAC SPORTS	09/28/10	10.00	MW	OH	
AP00087525	V07122	MARCOM COMMUNICATIONS	09/28/10	180.00	MW	OH	
AP00087526	V06820	MARTHA HEAVISIDE	09/28/10	728.00	MW	OH	
AP00087527	V07634	MARTINEZ, JENNIFER	09/28/10	165.00	MW	OH	
AP00087528	V03607	McClain, Flent	09/28/10	2,400.00	MW	OH	
AP00087529	V06782	METRON FARNIER LLC	09/28/10	180.29	MW	OH	
AP00087530	V01240	MISSION LINEN SUPPLY	09/28/10	141.34	MW	OH	
AP00087531	V04420	NATL ASSOC CITIZENS ON PATROL	09/28/10	45.00	MW	OH	
AP00087532	V06687	NEWPORT FARMS INC	09/28/10	318.22	MW	OH	
AP00087533	V01136	OFFICE DEPOT	09/28/10	35.65	MW	OH	
AP00087534	V00797	OFFICE DEPOT	09/28/10	176.72	MW	OH	Payee Name different in Check DB
AP00087535	V01687	PERS	09/28/10	11.13	MW	OH	

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
AP00087536	V05301	PEST OPTIONS INC	09/28/10	265.00	MW	OH	
AP00087537	V04972	POLLARDWATER DOT COM	09/28/10	109.69	MW	OH	
AP00087538	V02819	PR DIAMOND PRODUCTS INC	09/28/10	517.00	MW	OH	
AP00087539	V05392	PYRO-COMM SYSTEMS INC	09/28/10	325.00	MW	OH	
AP00087540	V06114	REPUBLIC MASTER CHEFS	09/28/10	96.49	MW	OH	
AP00087541	V00676	REYNOLDS BUICK INC	09/28/10	1,322.33	MW	OH	Payee Name different in Check DB
AP00087542	V06135	ROYAL TRUCK BODY	09/28/10	17.88	MW	OH	
AP00087543	V04895	SAN GABRIEL VALLEY TRIBUNE	09/28/10	45.00	MW	OH	
AP00087544	V06095	SGV EXAMINER	09/28/10	978.19	MW	OH	
AP00087545	V00718	SHOWCASES	09/28/10	624.02	MW	OH	
AP00087546	V00727	SMART AND FINAL IRIS CORP	09/28/10	399.64	MW	OH	
AP00087547	V00734	SOUTHEAST CONSTRUCTION INC	09/28/10	106.02	MW	OH	
AP00087548	V06163	SOUTHLAND TRANSIT	09/28/10	43,774.10	MW	OH	
AP00087549	V06071	STAPLES BUSINESS ADVANTAGE	09/28/10	84.16	MW	OH	
AP00087550	V07086	SURETECK INDUSTRIAL	09/28/10	4,663.20	MW	OH	
AP00087551	V00755	SUTTON PLUMBING SERVICE	09/28/10	7.46	MW	OH	
AP00087552	V00346	THOMSON GALE	09/28/10	35.54	MW	OH	Payee Name different in Check DB
AP00087553	V00765	THREE VALLEYS MUNICIPAL	09/28/10	80,115.76	MW	OH	
AP00087554	V00772	TRI-XECUTEX CORP	09/28/10	90.00	MW	OH	Payee Name different in Check DB
AP00087555	V00783	ULTRA-CHEM INC	09/28/10	830.26	MW	OH	Payee Name different in Check DB
AP00087556	V00229	US POSTMASTER	09/28/10	905.67	MW	OH	
AP00087557	V03305	V & V MANUFACTURING	09/28/10	329.09	MW	OH	
AP00087558	V07559	Vargas, Monica	09/28/10	1,372.50	MW	OH	
AP00087559	V07403	VERIZON CALIFORNIA	09/28/10	590.56	MW	OH	
AP00087560	V06297	VERIZON WIRELESS	09/28/10	5,466.08	MW	OH	

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
AP00087561	V06785	VISION SERVICE PLAN (CA)	09/28/10	61.99	MW	OH	
AP00087562	V00158	VULCAN MATERIALS COMPANY	09/28/10	333.10	MW	OH	Payee Name different in Check DB
AP00087563	V00432	YWCA INTERVALE SENIOR SERVICE	09/28/10	1,796.04	MW	OH	Payee Name different in Check DB
G R A N D T O T A L S:							
Total Void Machine Written				0.00	Number of Checks Processed:		0
Total Void Hand Written				0.00	Number of Checks Processed:		0
Total Machine Written				302,115.87	Number of Checks Processed:		103
Total Hand Written				0.00	Number of Checks Processed:		0
Total Reversals				0.00	Number of Checks Processed:		0
Total Cancelled Checks				0.00	Number of Checks Processed:		0
Total EFTs				0.00	Number of EFTs Processed:		0
G R A N D T O T A L				302,115.87			

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel	To Note
AP00087564	V01835	NEUBER, ROBERT	09/29/10	296.67	MW	IP		

G R A N D   T O T A L S:

Total Void Machine Written	0.00	Number of Checks Processed:	0
Total Void Hand Written	0.00	Number of Checks Processed:	0
Total Machine Written	296.67	Number of Checks Processed:	1
Total Hand Written	0.00	Number of Checks Processed:	0
Total Reversals	0.00	Number of Checks Processed:	0
Total Cancelled Checks	0.00	Number of Checks Processed:	0
Total EFTs	0.00	Number of EFTs Processed:	0
G R A N D   T O T A L	296.67		

CITY OF COVINA

09/29/10

WED, SEP 29, 2010, 8:28 AM

--req: SSMANSON--leg: GL JL--loc: ADMIN--job: 479569 #S023--prog: CK200 <1.38>--report id: CKREG---

CHECK REGISTER

Page 1

Check

AP00087565

AP00087566

AP00087567

AP00087568

Payee ID.

V05506

V06385

V01687

V04828

Payee Name

COVINA, CITY OF

CSAC-EIA

PERS

UNION BANK OF CALIFORNIA

Date

09/29/10

09/29/10

09/29/10

09/29/10

Check Amount

20,005.20

2,763.29

70,044.18

2,204.84

Type

MW

MW

MW

MW

Subs

OH

OH

OH

OH

Rel To Note

GRAND TOTALS:

Total Void Machine Written

Total Void Hand Written

Total Machine Written

Total Hand Written

Total Reversals

Total Cancelled Checks

Total EFTs

GRAND TOTAL

0

0

95,017.51

0.00

0.00

0.00

0.00

95,017.51

Number of Checks Processed:

Number of Checks Processed:

Number of Checks Processed:

Number of Checks Processed:

Number of Checks Processed:

Number of Checks Processed:

Number of EFTs Processed:

0

0

4

0

0

0

0





# THE BANK OF NEW YORK MELLON

September 10, 2010

The Bank of New York Mellon Trust Company, N.A.  
Corporate Trust, N. California  
700 South Flower St, Suite 500  
Los Angeles, CA 90017

Regional Code: LA - North California  
Database: BNYLOANS  
Loan a/c#: COVWTRSYS99

Re: COVINA PUB FIN AUTH (AUTH SYS) 10,1,99

CITY OF COVINA  
DILU DE ALWIS, FINANCE DIRECTOR  
125 EAST COLLEGE ST.  
COVINA, CA 91723

Dear Sir/Madam,

Please be advised, payment in the amount of \$218,554.29 is due on 09/15/2010 for COVINA PUB FIN AUTH (AUTH SYS) 10,1,99. The bondholder payment date is 10/01/2010. The details of the amount due are as follows:

	Amount in Dollars(\$)			
Principal	\$180,000.00			
Interest	\$38,555.00	<b>Less: Cash on Hand</b>		
		<b>Type Account No.</b>		<b>Amount in Dollars</b>
Collection Amount	\$218,555.00	TAS 418626		\$0.01
Total Cash on Hand	(\$0.71)	TAS 418636		\$0.70
		<b>Total Cash on Hand</b>		\$0.71
<b>Total Amount Due</b>	<b>\$218,554.29</b>			

In order for us to ensure timely payments to Bondholders, funds must be sent in accordance with the instructions below.

If paying by wire, please include your 'GLA' and 'TAS' account numbers on your wire transfer legend so that we can accurately record your payment.  
The wire payment instructions are as follows:

The Bank of New York Mellon  
ABA#: 021000018 GLA#: 111-565  
Account Details

Type	Account No.	Description
TAS	418626	Interest

**Attention:** Helen McNulty

Wire Payments must be received by BNY Mellon before 12:00 E.S.T. on 09/15/2010.

If Paying by check, please include your "TAS" account number on your check so that we can accurately record your payment.

The address for remitting payments is:

The Bank of New York Mellon Trust Company, N.A.  
ATTENTION: Helen McNulty  
Corporate Trust, N. California  
700 South Flower St, Suite 500  
Los Angeles, CA 90017

Check payments must be received by BNY Mellon 5 business days prior to 10/01/2010.

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note	
AP00087135	V07496	GAP INC	09/08/10	625.00	RV	TR	Reversed	
AP00087146	V03803	IKEA CALIFORNIA LLC #4	09/08/10	25.00	RV	TR	Payee Name different in Check DB	
AP00087259	V07618	EMBASSY SUITES	09/14/10	215.20	RV	TR	Reversed	
G R A N D T O T A L S:								
Total Void Machine Written				0.00	Number of Checks Processed:			0
Total Void Hand Written				0.00	Number of Checks Processed:			0
Total Machine Written				0.00	Number of Checks Processed:			0
Total Hand Written				0.00	Number of Checks Processed:			0
Total Reversals				865.20	Number of Checks Processed:			3
Total Cancelled Checks				0.00	Number of Checks Processed:			0
Total EFTs				0.00	Number of EFTs Processed:			0
G R A N D T O T A L				865.20				

**CITY OF COVINA**  
**AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** CC 3

**STAFF SOURCE:** Dilu de Alwis, Finance Director 

**ITEM TITLE:** Authorize Automated Clearing House (ACH) Transactions  
Between Bank of the West and Wells Fargo Bank

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**STAFF RECOMMENDATION**

It is recommended that the City Council approve the cash movement between Bank of the West and Wells Fargo Bank and authorize the City Manager to execute said agreement.

**FISCAL IMPACT**

There is no impact to the amendment of the banking services agreement.

**BACKGROUND**

The City of Covina maintains a banking relationship with Bank of the West located at 770 S. Citrus Avenue in Covina. With the implementation of the new utility billing system, customers mailing their payments to the address on the bill stub direct their payments to a lock-box located in Los Angeles managed by Wells Fargo Bank. This requires an additional step of moving the cash from the Wells Fargo Bank lock-box to Bank of the West.

The cash movement from Wells Fargo Bank to Bank of the West will be set up to be processed weekly and via an automated system not to exceed \$500,000. Bank of the West is requesting Council authorization to set-up this cash transfer since it is not specified as a service in the current banking service agreement. There is no cost associated with this transaction and staff will reconcile these accounts on a monthly basis to assure that all funds are accounted for.

**RELEVANCE TO THE STRATEGIC PLAN**

Not applicable

**EXHIBITS:**

(A) Bank of the West ACH Application Form.

**REVIEW TEAM ONLY**

**City Attorney:**  **Finance Director:** 

**City Manager:**  **Other:** \_\_\_\_\_

<b>Business Information</b>			
Legal Name <i>City of Covina</i>	DBA		Address <i>125 E. College St Covina, Ca 91723</i>
Fed Tax ID # <i>95-6000699</i>	Business Phone # <i>626-858-7243</i>	Number of Owners	Under Current Management Since MM <i>04</i> YY <i>2000</i>
Describe Your Product/Service		Primary ACH Account # <i>677-042962</i>	Other Related Checking Account #s (if applicable)
Ownership (check One) <input type="checkbox"/> Sole Prop <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> S Corp <input type="checkbox"/> Limited Liability Corp <input type="checkbox"/> Non-Profit Corp <input checked="" type="checkbox"/> Other <i>Government Agent</i>			
<b>Personal Information:</b> All owners with at least 20% ownership or any general partner will complete the section(s) below. If more than two, please copy form.			
Owner Name (please print)	% Ownership	Company Title	Social Security Number
Home Address	Street	City	State Zip
Owner Name (please print)	% Ownership	Company Title	Social Security Number
Home Address	Street	City	State Zip

### CREDIT

<b>PPD (Deposits to Individuals)</b>	<b>CCD (Corporate Credits – Business to Business, including Tax Payments)</b>
<input type="checkbox"/> Prefunded <input type="checkbox"/> Guidance Facility <input type="checkbox"/> Payroll \$ _____ Frequency _____ <input type="checkbox"/> Other \$ _____ Frequency _____ <input type="checkbox"/> Vendor _____ <input type="checkbox"/> WebDirect <input type="checkbox"/> Direct Send	<input type="checkbox"/> Prefunded <input type="checkbox"/> Guidance Facility <input type="checkbox"/> CCD \$ _____ Frequency _____ <input type="checkbox"/> Other \$ _____ Frequency _____ <input type="checkbox"/> Vendor _____ <input type="checkbox"/> WebDirect <input type="checkbox"/> Direct Send
Total Credit Exposure \$ _____	

### DEBIT

<b>PPD (Withdrawals from Individuals)</b>	<b>CCD (Corporate Credits – Business to Business, including Tax Payments)</b>
<b>REQUIRES DIVISIONAL EXECUTIVE APPROVAL</b>	
Guidance Facility	Guidance Facility
<input type="checkbox"/> Withdrawals \$ _____ Frequency _____ <input type="checkbox"/> Debits Outgoing \$ _____ Frequency _____ <input type="checkbox"/> Vendor _____ <input type="checkbox"/> WebDirect <input type="checkbox"/> Direct Send	<input checked="" type="checkbox"/> CCD \$ <i>500,000.00</i> Frequency <i>Weekly</i> <input type="checkbox"/> Other \$ _____ Frequency _____ <input type="checkbox"/> Vendor _____ <input checked="" type="checkbox"/> WebDirect <input type="checkbox"/> Direct Send
Total Debit Exposure \$ <i>500,000.00</i>	

**BusinessLink – Prefunded ACH Requirement** ☐ ACH Exposure Worksheet

<b>BusinessLink - Guidance Facility ACH Required Documentation</b>	
\$1,000 - \$100,000	Over \$100,000
<input type="checkbox"/> Three month's Bank Statements (if the borrower doesn't have a business checking account with Bank of the West) <input type="checkbox"/> ACH Exposure Worksheet	<input type="checkbox"/> Three month's Bank Statements <input type="checkbox"/> Prior Three Years Personal Income Tax Returns required on any individual that owns at least 20% of the business or is a general partner <input type="checkbox"/> Personal Financial Statement required on any individual that owns at least 20% of the business or is a general partner (Bank of the West Form) <input type="checkbox"/> Prior three Years of Business Income Tax Returns (if business entity is other than sole

The signer(s) certifies that he/she is authorized to execute the ACH Application on behalf of the Applicant, and that all information is true, correct, and complete. The signer(s) authorizes the Bank to obtain credit reports on the Applicant and the individual owners/guarantors from others, including the Internal Revenue Service or the Franchise Tax Board, at any time, and disclose such information given to the Bank by such agencies to the Applicant. All owners/authorized signers must sign and include their titles.

The Applicant understands and agrees that this application is subject to final credit approval and that additional information may be required.

This ACH Application is made as of \_\_\_\_\_ (date) at \_\_\_\_\_ (city) \_\_\_\_\_ (state).

Name of Applicant \_\_\_\_\_

**FOR CORPORATIONS ONLY: THE PRESIDENT OR CHAIRMAN OF THE BOARD OR ANY VICE PRESIDENT AND ONE OF THE FOLLOWING, SECRETARY, ASSISTANT, SECRETARY, CHIEF FINANCIAL OFFICERS OR ASSISTANT TREASURE.**

**IF YOU HOLD TITLES IN BOTH A AND B YOU MUST CHECK TITLES AND SIGN FOR BOTH.**

A. ☐ President ☐ Chairman Of The Board ☐ Vice President

X \_\_\_\_\_  
SIGNATURE PRINT NAME DATE

B. ☐ Secretary ☐ Assistant Secretary ☐ Chief Financial Officer ☐ Assistant Treasurer

X \_\_\_\_\_  
SIGNATURE PRINT NAME DATE

**IF YOU ARE AT LEAST A 20% OWNER THAT DIDN'T SIGN ABOVE.**

X \_\_\_\_\_  
SIGNATURE PRINT NAME DATE

X \_\_\_\_\_  
SIGNATURE PRINT NAME DATE

**FOR PARTNERSHIPS, ALL GENERAL PARTNERS, FOR SOLE PROPRIETORS, THE OWNER(S), FOR LIMITED LIABILITY COMPANIES, ALL MEMEBERS, MANAGERS OR THOSE AUTHORIZED IN THE OPERATION AGREEMENT. FOR UNINCORPORATED ASSOCIATIONS, ALL MEMBERS. FOR TRUSTEES UNDER A TRUST AGREEMENT, ALL TRUSTEES.**

**PRINT NAME, TITLE AND DATE NEXT TO AUTHORIZED SIGNATURE.**

X \_\_\_\_\_  
Signature PRINT NAME TITLE DATE

X \_\_\_\_\_  
Signature PRINT NAME TITLE DATE

X \_\_\_\_\_  
Signature PRINT NAME TITLE DATE

X \_\_\_\_\_  
Signature PRINT NAME TITLE DATE

### Branch Information

Office	Office Number	ID #	Telephone #
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**CITY OF COVINA**  
**AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** CC 4

**STAFF SOURCE:** Anthony Arroyo, Director of Human Resources *AA*  
Marie Klymkiw, Risk Manager *mk*

**ITEM TITLE:** Rescind Resolution No. 87-4833 and approve Resolution No. 10-6905 authorizing the adjustment and settlement of claims against the City.

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**STAFF RECOMMENDATION**

That the City Council approve Resolution No. 10-6905, rescinding Resolution No. 87-4833, and authorizing the adjustment and settlement of claims against the City.

**FISCAL IMPACT**

None.

**BACKGROUND**

In July 1987 Resolution No. 87-4833 was approved giving the City Manager or his designee approval to settle claims against the City up to \$10,000 when it is determined that the City is partially or fully liable on the claim. Because of the increased cost in settlement of claims, mainly automobile repairs and medical expenses, and the opportunities to settle personal injury claims in a timely manner, thereby avoiding litigation and litigation costs, staff recommends that the Risk Manager be authorized to settle claims, including workers' compensation claims up to \$15,000; and the City Manager up to \$25,000. Claims in excess of \$25,000 shall be referred to the City Council for determination.

**RELEVANCE TO STRAGIC PLAN**

None

**EXHIBITS**

A. Resolution No. 10-6905

**REVIEW TEAM ONLY**

City Attorney: 

City Manager: 

Finance Director: 

Other: \_\_\_\_\_

**RESOLUTION NO. 10-6905**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA,  
CALIFORNIA RESCINDING RESOLUTION NO. 87-4833 AND APPROVE  
RESOLUTION NO. 10-6905 AUTHORIZING THE ADJUSTMENT AND  
SETTLEMENT OF CLAIMS AGAINST THE CITY**

**WHEREAS**, Resolution No. 87-4833 authorized the City Manager or his designee to settle claims not to exceed \$10,000; and

**WHEREAS**, settlement costs have been increasing, mainly automobile repairs and medical expenses; and

**WHEREAS**, for the expedient settlement of claims necessary to minimize costs to the City, it is necessary that the Risk Manager and City Manager have specified authority on behalf of the City to immediately enter into Settlement Agreements without prior authorization of the Council;

**NOW, THEREFORE**, THE CITY COUNCIL DOES HEREBY RESOLVE FOLLOWS:

**SECTION 1.** That the City Council does hereby rescind Resolution NO.87-4833 in its entirety.

**SECTION 2.** When a claim is filed against the City and it is determined that the City is partially or fully liable on the claim, the Risk Manager shall have the authority to enter into a Settlement Agreement to settle the claim, including Workers' Compensation claims, up to fifteen-thousand dollars (\$15,000).

**SECTION 3.** When a claim is filed against the City and it is determined that the City is partially or fully liable on the claim, the City Manager shall have the authority to enter into a Settlement Agreement to settle the claim, including Workers' Compensation claims, up to twenty-five thousand dollars (\$25,000).

**SECTION 4.** When a claim is filed against the City and it is determined that the City is partially or fully liable on the claim, and the amount of the claim is over twenty-five thousand dollars (\$25,000), it shall be referred to the City Council for determination.

**SECTION 5.** The Risk Manager or City Manager shall be authorized to reject any claim filed against the City pursuant to and on the appropriate grounds set forth in Title 1, Division 3.6, Part 3, Chapter 2 of the Government Code of the State of California.

**SECTION 6.** That the City Clerk shall certify to the passage and adoption of this resolution.

**EXHIBIT A**

PASSED, APPROVED and ADOPTED this 16th day of November, 2010.

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Peggy Delach, Mayor

**ATTEST:**

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Catherine LaCroix, Deputy City Clerk

**APPROVED AS TO FORM:**

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City Attorney



# CITY OF COVINA

## AGENDA ITEM COMMENTARY

**MEETING DATE:** November 16, 2010

**ITEM NO.:** CC 5

**STAFF SOURCE:** Kim J. Raney, Chief of Police  
Tim Doonan, Police Lieutenant

*Do for KR.*

**ITEM TITLE:** Resolution to amend the fine amounts for parking violations to comply with State mandated legislation SB 857 and to offset increased local parking enforcement costs

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### **STAFF RECOMMENDATION:**

Adopt **Resolution No. 10-6908** increasing the schedule of penalties for parking violations and related charges committed within the boundaries of the City of Covina to recover mandatory pass through costs imposed by the State of California and to offset increased local parking enforcement costs; and reaffirming its existing administrative/collection cost recovery policy.

### **FISCAL IMPACT:**

There will be an increase of revenue by \$2.00 per parking violation fine received. This would be an approximate increase to the General Fund of \$20,000 annually, account number 1010 1300 00 44200 parking fines.

### **BACKGROUND:**

California Government Code sections (as identified in the attached Resolution) require the City of Covina to pay monies to the State of California and the County of Los Angeles from fines collected from parking citations. As of 2009, these pass-through costs totaled \$9.50 per paid parking citation. On June 16, 2009, the Covina City Council adopted a resolution (Resolution 09-6670) which passed through these costs to violators rather than absorb the costs through City funds.

Effective December 7, 2010, Government Code section 76000.3 will be added via the California Budget Act of 2010 (Senate Bill 857). This section will increase the State-mandated pass-through costs associated with parking enforcement by \$3.00 per paid parking citation, for a total of \$12.50 per paid parking citation.

Additionally, staff has calculated that the Department will incur added costs to implement its parking enforcement program, including (i) the purchase, leasing and maintenance of automated handled ticketing machines, (ii) reprinting of parking citations, and (iii) staff and court costs associated with parking citation challenges. In order to offset these costs, staff recommends that parking fines be increased by \$2.00 per paid parking citation.

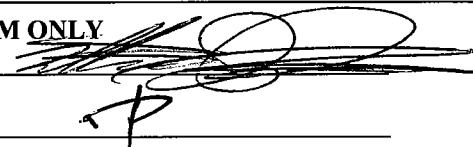


If adopted, this resolution would add a total of \$5 to the fine for each parking violation. The increase in fines to offset pass-through costs and local parking enforcement program costs are authorized by provisions of the California Vehicle Code as identified in the attached Resolution.

**RELEVANCE TO THE STRATEGIC PLAN**

Resolution 10-6908 to amend the fine amounts for parking violations to comply with State mandated legislation SB 857 and to offset increased local parking enforcement costs does not have any relevance to the Strategic Plan.

**EXHIBITS:**

- A. Resolution 10-6908
- B. Violation Code and Schedule of Penalties (Schedule A)

<b>REVIEW TEAM ONLY</b>	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

## RESOLUTION NO. 10-6908

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, INCREASING THE SCHEDULE OF PENALTIES FOR PARKING VIOLATIONS AND RELATED CHARGES COMMITTED WITHIN THE BOUNDARIES OF THE CITY OF COVINA TO RECOVER INCREASED LOCAL PARKING ENFORCEMENT COSTS AND TO RECOVER MANDATORY PASS-THROUGH COSTS IMPOSED BY THE STATE OF CALIFORNIA; AND REAFFIRMING ITS EXISTING ADMINISTRATIVE/COLLECTION COST RECOVERY POLICY.**

**WHEREAS**, various State laws require the City of Covina to pay to the State of California and Los Angeles County the following amounts from fines collected for each parking citation issued by the City, in order to fund the construction and improvement of courthouse and criminal justice facilities:

- \$2.50 to Los Angeles County – Courthouse Construction Fund (Calif. Govt. Code §§ 76100 and 76000(b));
- \$2.50 to Los Angeles County – Criminal Justice Facilities Construction Fund (Calif. Govt. Code §§ 76101 and 76000(b));
- \$1.50 to State of California – State Court Facilities Construction Fund (Calif. Govt. Code § 70372(b)); and
- \$3.00 to State of California – Immediate & Critical Needs Facilities Construction Fund (Calif. Govt. Code § 70372).

all for a total of \$9.50 of mandatory pass-through costs per issued parking citation.

**WHEREAS**, the recently adopted California Budget Act of 2010 (Calif. Govt. Code §76000.3 – SB 857) will require the City of Covina, as of December 7, 2010, to pay to the State of California an additional \$3.00 for each parking citation issued by the City, which shall be deposited into the Trial Court Trust Fund established by Section 68085 of the California Government Code.

**WHEREAS**, the City desires to pass these additional costs on to violators who are issued parking citations within the City of Covina; and

**WHEREAS**, the City will incur added costs of parking enforcement, including (i) the purchase, leasing and maintenance of automated handheld ticketing machines, (ii) reprinting of parking citations, and (iii) staff and court costs associated with parking citation challenges; and

**WHEREAS**, the City desires to increase its Schedule of Penalties for parking violations and related charges by \$2.00 for each citation in order to offset these added costs; and

**WHEREAS**, California Vehicle Code Section 40200 *et seq.* authorizes cities to impose and collect civil fines and penalties for violations of any regulation pertaining to the stopping, standing or parking of a vehicle, and related charges, as specified in the California Vehicle Code, any federal statute or regulation, or any local ordinance; and

**WHEREAS**, California Vehicle Code Section 40203.5 specifically requires cities to establish a schedule of penalties for parking violations and related charges; and

**WHEREAS**, California Vehicle Code Section 40203.5 expressly authorizes the City to assess late payment penalties for failing to timely pay parking and related penalties; and

**WHEREAS**, applicable State Law, including but not limited to California Vehicle Code Section 40200.3, permits the City to also recover administrative fees, process service fees, collection costs related to civil debt collection, late payment and other related charges pertaining to parking violations and related charges, and provides procedures governing the above; and

**WHEREAS**, on November 6, 2007, the City Council of the City of Covina established a schedule of penalties for parking violations and related charges committed within the boundaries of the City of Covina, late payment penalties, and an administrative/collection cost recovery policy, by Resolution No. 07-6624; and

**WHEREAS**, on June 16, 2009, the City Council of the City of Covina increased the schedule of penalties for parking violations and related charges by \$3.00 for each citation in order to pass State mandated costs imposed by SB 1407 (Calif. Govt. Code § 70372) on to violators who are issued parking citations within the City of Covina, by Resolution No. 09-6770; and

**WHEREAS**, the City Council desires to increase its Schedule of Penalties for parking violations and related charges by a total of \$5.00 for each citation in order to recover the added costs set forth above; and

**WHEREAS**, the City Council further desires to reaffirm its existing administrative/collection cost recovery policy.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COVINA AS FOLLOWS:**

Section 1. The Schedule of Penalties for Parking Violations and Related Charges is hereby increased to those amounts as set forth on Schedule "A", attached hereto and incorporated herein by this reference. For all penalties that are paid by the due date

indicated on the issued citation/notice of violation, the amount of said penalty shall be the amount indicated in under the heading "Violation Amount" in Schedule "A".

Section 2. If a parking penalty is not paid by the due date indicated on the issued citation/notice of violation, the amount of said penalty shall be increased to the amount indicated in under the heading "Delinquent Amount" in Schedule "A".

Section 3. To the extent that a violation listed in Schedule "A" is identified as correctable, and if the violator or person responsible for the vehicle used in committing the violation presents proof of correction by the due date indicated on the issued citation/notice of violation, the penalty that would otherwise be imposed for the violation shall not be charged, but the "proof of correction" fee set forth in Schedule "A" shall be due and payable by the violator or person responsible for the vehicle.

If proof of correction is not presented by the due date indicated on the issued citation/notice of violation, the violator or person responsible for the vehicle shall be liable for the full "Delinquent Amount" penalty as set forth in Schedule "A" for that violation.

Section 4. Resolutions No. 07-6624, 09-6770, and all other previous resolutions establishing or increasing the Schedule of Penalties for Parking Violations and Related Charges committed within the boundaries of the City of Covina are hereby superseded by this Resolution upon its date of adoption.

Section 5. In addition to those penalties and late payment penalties set forth in the City's Schedule of Penalties, the City Council hereby adopts and adds the following provision to its Schedule of Penalties:

"Should it become necessary or desirable for the City to seek collection of any penalty for a parking violation or related charge and/or a late payment penalty by referral to the California Department of Motor Vehicles, the California State Franchise Board or through a processing agency, collection agency, attorney or other collection service, the person not paying shall, in addition to the amounts owing for the penalty for a parking violation or related charge and any late payment penalties, be liable for and penalized further in the amount of the total actual out of pocket administrative costs, civil service of process costs, attorney's fees, and other direct costs incurred by the City to collect said delinquent penalties. This additional amount shall reimburse the city for collection costs related to civil debt collection."

Section 6. The City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered in the Book of Resolutions of the City of Covina; and shall make a record of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same was passed and adopted.

Section 7. This Resolution shall take effect immediately upon its adoption by the City Council.

Section 8. If any section, sub-section, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Resolution. The City Council hereby declares that it would have adopted the Resolution and each section, sub-section, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases or portions to be declared invalid or unconstitutional.

Passed, approved and adopted this 16th day of November, 2010.

\_\_\_\_\_  
Peggy Delach, Mayor  
City of Covina, California

ATTEST:

\_\_\_\_\_  
Toni Taber, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

I, Toni Taber, City Clerk of the City of Covina, California, do hereby certify that the foregoing resolution is the actual resolution adopted by the City Council and was passed and adopted at a regular meeting of said City Council on the 16th day of November, 2010, by the following vote to wit:

AYES:

NOES:

ABSENT:

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City Clerk of the City of Covina



**SCHEDULE "A"**  
**Schedule of Penalties**

[To Be Attached]

## CITY OF COVINA VIOLATION CODE AND SCHEDULE OF PENALTIES

Violation		Violation Amount	Delinq Amount	Proof of Correction
Code	Description	\$	\$	\$
10.32.020 CMC	Within Marked Lanes	35	65	N/A
10.32.030 CMC	Stopping, Standing, Parking Within Parkway	45	75	N/A
10.32.040 CMC	No Parking Signs	45	75	N/A
10.32.050 CMC	Posted Temporary No Parking Zone	45	75	N/A
10.32.070 CMC	Parking Restricted Signed/Curb Making 1 hr, 2 hr, 3 hr, 4 hr.	45	75	N/A
10.10.32.080 CMC	24 hr Blue Zone	35	65	N/A
10.32.110 B CMC	Unauthorized on City Property	45	75	N/A
10.32.112 A CMC	Parking Meter Expired	45	75	N/A
10.32.112 B CMC	Pay-by-Space / Pay-and-Display-Expired	45	75	N/A
10.32.114 B CMC	Failure to pay for Space and/or Display Receipt	45	75	N/A
10.32.115 A CMC	Illegal, Overtime, or Expired Metered Space	45	75	N/A
10.32.115 B CMC	Illegal, Overtime, or Expired Pay-by-Space Space	45	75	N/A
10.32.115 C CMC	Illegal, Overtime, or Expired Pay-by-Display Space	45	75	N/A
10.32.120 CMC	Parked on Grade without Wheel Blocks	30	60	N/A
10.32.140 A CMC	Parked on Street For Sale	70	100	N/A
10.32.140 B CMC	Washing or Repairing Vehicle in the Street	45	75	N/A
10.32.141 CMC	Vehicle for Sale Sign Private Property	70	100	N/A
10.32.160 B CMC	Temporary/Emergency Signs No Operating, Parking or Standing of Vehicles	45	75	N/A
10.32.180 CMC	Overnight Parking	45	75	N/A
10.32.190 CMC	Commercial Vehicle Parked 30 minutes or more	70	100	N/A
10.32.200 A CMC	Parking, Storing Commercial Vehicle in Residential Zone	70	100	N/A
10.32.200 B CMC	Parking, Storing of Commercial Vehicle	70	100	N/A
10.32.210 A CMC	Parking or Storing Trailers, Motor Homes, Motor Vehicles Front/Side Yard	45	75	N/A
10.32.220 CMC	Must Move 150 ft When Time Limit is Up	45	75	N/A
10.36.020 (1) CMC	No Parking Red Curb	45	75	N/A
10.36.020 (2) CMC	Loading Zone	30	60	N/A
10.36.020 (3) CMC	White Curb	30	60	N/A
10.36.020 (4) CMC	Green Curb	30	60	N/A
10.36.050 CMC	Passenger Loading and Unloading Zone	45	75	N/A
10.36.060 CMC	Parking in Alley	35	65	N/A
10.36.070 G CMC	Bus Zone	45	75	N/A
10.36.080 C CMC	Taxi Zone	25	55	N/A

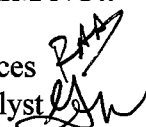
17.26.110 E CMC	Storage Motor Home/Trailer	45	75	N/A
21113 (a) VC	Unlawful Parking on Public Grounds	40	70	N/A
22500 (a) VC	Parking, Standing, Stopping in Intersection	45	75	N/A
22500 (b) VC	Parking, Standing, Stopping in a Crosswalk	45	75	N/A
22500 (c) VC	Parking, Standing, Stopping in a Safety Zone	45	75	N/A
22500 (d) VC	Parking, Standing, Stopping Within 15' of Fire Station	45	75	N/A
22500 (e) VC	Parking, Standing, Stopping in Front of Driveway	45	75	N/A
22500 (f) VC	Parking, Standing, Stopping on a Sidewalk	45	75	N/A
22500 (g) VC	Parking, Standing, Stopping Alongside Highway Excavation	45	75	N/A
22500 (h) VC	Double Parking	45	75	N/A
22500 (i) VC	Parked in Bus Loading Zone	270	300	N/A
22500 (j) VC	Parked in Tunnel	45	75	N/A
22500 (k) VC	Parking, Standing, Stopping on Bridge	45	75	N/A
22500 (l) VC	Blocking Disable Access Ramp	270	300	N/A
22500.1 VC	Parking in Fire Lane	70	100	N/A
22502 (a) VC	Parking more than 18" from the Curb	45	75	N/A
22507.8 (a) VC	Handicapped Zone—Parking in Space	345	375	10
22507.8 (b) VC	Handicapped Zone—Obstructing/Blocking space	345	375	10
22507.8 (c) (1) VC	Parking, Standing on the Boundary Lines Designating for Disabled Parking	345	375	N/A
22507.8 (c) (2) VC	Parking, Standing on the Crosshatched Lines Designating for Disabled Parking	345	375	N/A
22514 VC	Fire Hydrant Within 15 Feet	45	75	N/A
22515 VC	Vehicle Left Unattended on Highway	45	75	N/A
22516 VC	Locked Vehicle with Person Inside	50	80	N/A
22517 VC	Opening and Closing Doors	40	70	N/A
22521 VC	Parked Within 7 ½ Ft of RR	50	80	N/A
22522 VC	Parking on or Within 3' of Access Ramp	295	325	N/A
26703 (b)	Window Glaze	30	60	10
26708(a)(1) VC	Window Tint	70	100	10
26708(a)(2)	Window Obstruction	70	100	10
26710 VC	Cracked Windshield / Rear Window	45	75	10
4000 (a)(1) VC	No Current Registration	70	100	10
40225 (c) VC	Equipment Violations with Proof of Correction	0	0	10
40226 VC	Failure to Display a Disabled Placard—Proof of Valid Placard	0	0	10
4462(b) VC	Wrong Vehicle Registration	45	75	N/A
5200 (a) VC	No Front / Rear License Plate as Issued	45	75	10
5201 VC	Unattached /Not Visible License Plates	70	100	10
5204 (a) VC	No Current Month/Year Tabs	80	110	10

**CITY OF COVINA**  
**AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** CC 6

**STAFF SOURCE:** Anthony Arroyo, Director of Human Resources  
Guadalupe Marquez, Human Resources Analyst



**ITEM TITLE:** Amendment to the Contract between the City of Covina and the California Public Employee Retirement System (Cal PERS) to provide a 3% @ 55 Retirement plan for Sworn Employees hired on or after January 1, 2011

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**STAFF RECOMMENDATION**

City Council to adopt **Resolution 10-6909**, a Resolution of Intention to approve an amendment to the contract between the Board of Administration of the California Public Employees' Retirement System (PERS) and the City Council of the City of Covina to provide, pursuant to Government Code Section 20475 and Government Code Section 21363.1, a 3% at 55 Retirement plan for all sworn police employees hired on or after January 1, 2011.

**FISCAL IMPACT**

There are no immediate savings anticipated from the implementation of this two-tier system as the reduced contribution rate applies only to new hires. However, long term savings will be realized as staff turnover occurs.

**BACKGROUND**

In an effort to reduce personnel and benefit costs, the City negotiated with the Police Association of Covina (PAC) to implement a 3% @ 55 retirement plan for all new sworn police employees hired on or after January 1, 2011. This agreement will be memorialized in the PAC MOU which Council approved on November 2, 2010.

In order to implement the 3% @ 55 retirement plan, the City Council must adopt a Resolution of Intention to approve the amendment, and subsequently adopt an Urgency Ordinance authorizing the amendment between the City of Covina and PERS.

The employer contribution rate will be 18.175% of reportable earnings for local police members entering membership for the first time in the police classification after the effective of this amendment contract. The sworn employee will pay 3% of the employer contribution rate.

The City is anticipating the following schedule for implementation:

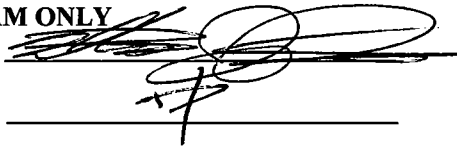

November 16, 2010	Adoption of the Resolution of Intention
December 7, 2010	Adoption of Urgency Ordinance No. 10-1989
January 1, 2011	Effective date of ordinance.
January 1, 2011	Effective date of plan amendment

**RELEVANCE TO THE STRATEGIC PLAN**

None

**EXHIBITS**

- A. Resolution No. 10-6909
- B. Contract Amendment

<b>REVIEW TEAM ONLY</b>	
City Attorney: 	Finance Director: 
City Manager: _____	Other: _____

**RESOLUTION NO. 10-6909  
RESOLUTION OF INTENTION  
TO APPROVE AN AMENDMENT TO CONTRACT  
BETWEEN THE  
BOARD OF ADMINISTRATION  
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
AND THE  
CITY COUNCIL  
CITY OF COVINA**

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

To provide Section 20475 (Different Level of Benefits).  
Section 21363.1 (3% @ 55 Full formula) is applicable to  
local police members entering membership for the first time  
in the police classification after the effective date of this  
amendment to contract.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

By: \_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date adopted and approved



## **EXHIBIT**

California  
Public Employees' Retirement System

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# **AMENDMENT TO CONTRACT**

Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
City Council  
City of Covina

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The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective January 1, 1949, and witnessed December 21, 1948, and as amended effective June 1, 1956, January 2, 1969, March 5, 1969, November 1, 1973, January 1, 1978, July 1, 1979, October 1, 1981, January 1, 1984, December 1, 1985, May 7, 1987, February 4, 1988, July 1, 1989, July 5, 1991, June 9, 1994, August 25, 2000, June 4, 2005, February 21, 2006 and April 12, 2010 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 16 are hereby stricken from said contract as executed effective April 12, 2010, and hereby replaced by the following paragraphs numbered 1 through 17 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members, age 50 for local fire members, and for those local police members entering membership in the police classification on or prior to the effective date of this amendment to contract and age 55 for local police members entering membership for the first time in the police classification after the effective date of this amendment to contract.

2. Public Agency shall participate in the Public Employees' Retirement System from and after January 1, 1949 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:
  - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
  - (b) Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than existing retirement benefits, provisions or formulas.
  - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
  - (d) Public Agency's election to file for bankruptcy under Chapter 9 (commencing with section 901) of Title 11 of the United States Bankruptcy Code and/or Public Agency's election to reject this Contract with the CalPERS Board of Administration pursuant to section 365, of Title 11, of the United States Bankruptcy Code or any similar provision of law.
  - (e) Public Agency's election to assign this Contract without the prior written consent of the CalPERS' Board of Administration.
  - (f) The termination of this Contract either voluntarily by request of Public Agency or involuntarily pursuant to the Public Employees' Retirement Law.



- (g) Changes sponsored by Public Agency in existing retirement benefits, provisions or formulas made as a result of amendments, additions or deletions to California statute or to the California Constitution.
- 4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
  - a. Local Fire Fighters (herein referred to as local safety members);
  - b. Local Police Officers (herein referred to as local safety members);
  - c. Employees other than local safety members (herein referred to as local miscellaneous members).
- 5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
  - a. **PERSONS COMPENSATED ON AN HOURLY BASIS IN EMPLOYMENT ON AND AFTER MARCH 5, 1969 AND PRIOR TO FEBRUARY 4, 1988; AND**
  - b. **PERSONS IN EMPLOYMENT ON AND AFTER FEBRUARY 4, 1988 IN THE JOB CLASSIFICATIONS OF:  
COMMUNITY RESOURCES SPECIALIST;  
LIBRARY CLERK I;  
COMMUNITY RESOURCES ASSISTANT I;  
COMMUNITY RESOURCES ASSISTANT II; AND  
COMMUNITY RESOURCES AIDE.**
- 6. This contract shall be a continuation of the contract of the San Gabriel Valley Fire Authority, hereinafter referred to as "Former Agency". A portion of the function of Former Agency having been transferred to Public Agency on February 1, 1989. The accumulated contributions, assets and liability for prior and current service under the Former Agency's contract shall be merged pursuant to Section 20508 of the Government Code.
- 7. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment before and not on or after April 12, 2010 shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).
- 8. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment on or after April 12, 2010 shall be determined in accordance with Section 21354.4 of said Retirement Law (2.5% at age 55 Full).

PLEASE DO NOT SIGN "EXHIBIT ONLY"

9. The percentage of final compensation to be provided for each year of credited prior and current service as a local fire member shall be determined in accordance with Section 21362 of said Retirement Law (2% at age 50 Full).
10. The percentage of final compensation to be provided for each year of credited prior and current service as a local police member entering membership in the police classification on or prior to the effective date of this amendment to contract shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full).
11. The percentage of final compensation to be provided for each year of credited current service as a local police member entering membership for the first time in the police classification after the effective date of this amendment to contract shall be determined in accordance with Section 21363.1 of said Retirement Law (3% at age 55 Full).
12. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Sections 21624 and 21626 (Post-Retirement Survivor Allowance).
  - b. Section 21024 (Military Service Credit as Public Service), for local police members entering membership prior to May 7, 1987; for local fire members entering membership prior to July 1, 1989; and for all local miscellaneous members.
  - c. Section 20042 (One-Year Final Compensation).
  - d. Section 20614, Statutes of 1978, (Reduction of Normal Member Contribution Rate). From July 1, 1979 and until October 1, 1981, the normal local miscellaenous member contribution rate shall be 3.5%. Legislation repealed said Section effective September 29, 1980.
  - e. Section 20690, Statutes of 1980, (To Prospectively Revoke Section 20614, Statutes of 1978).
  - f. Section 20965 (Credit for Unused Sick Leave).
  - g. Section 21622 (\$600 Retired Death Benefit).

- h. Section 20475 (Different Level of Benefits Provided for New Employees). Section 21024 (Military Service Credit as Public Service), is not applicable to local police members entering membership after May 7, 1987; local fire members entering membership after July 1, 1989.

Section 21363.1 (3% @ 55 Full formula) is applicable to local police members entering membership for the first time in the police classification after the effective date of this amendment to contract.

- i. Section 20503 (To Remove the Exclusion of Persons Compensated on an Hourly Basis on or after March 3, 1969, Prospectively from February 4, 1988).
  - j. Section 20903 (Two Years Additional Service Credit).
  - k. Section 21574 (Fourth Level of 1959 Survivor Benefits).
- 13. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on January 1, 1978. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
  - 14. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous and local safety members of said Retirement System.
  - 15. Public Agency shall also contribute to said Retirement System as follows:
    - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
    - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
    - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

16. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
17. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY OF COVINA

BY \_\_\_\_\_  
LORI MCGARTLAND, CHIEF  
EMPLOYER SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY \_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
Witness Date

Attest:

\_\_\_\_\_  
Clerk

# **CITY OF COVINA**

## **AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** CC 7

**STAFF SOURCE:** Steve Henley, Director of Public Works  
Kalieh Honish, Assistant Director of Public Works  
Kyle Randall, Building Official

**ITEM TITLE:** Introduction of **Ordinance No. 10-1990** Adopting the 2010 California Administrative, Building, Residential and Green Building Codes, et al., and the 2011 Los Angeles County Fire Code by Reference and Amending Title 14, Building and Construction, of the Covina Municipal Code

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### **STAFF RECOMMENDATION**

- a. Introduce and waive further reading of **Ordinance No. 10-1990** adopting by reference the California Building Standards Codes (California Code of Regulations, Title 24) including the California Administrative, Building, Residential and Green Building Codes, et al., together with certain additions, insertions, deletions and changes thereto; and adopting by reference the 2011 Los Angeles County Fire Code (Los Angeles County Title 32); together with certain additions, insertions, deletions and changes thereto; and
- b. Schedule a public hearing for December 7, 2010, to receive public input on the proposed adoption by reference of the aforementioned Codes.

### **FISCAL IMPACT**

The Ordinance, as proposed, adopts a variety of regulatory codes by reference; updating the City's Building & Safety codes, as well as the Fire Code. As the Ordinance addresses only regulations and not fee schedules, the proposed action entails no fiscal impact.

### **BACKGROUND**

The California Health and Safety Code Section mandates that the California Building Standards Commission adopt and publish the California Building Code (Title 24, California Code of Regulations) every three years. The 2010 Edition of the California Code of Regulations, Title 24, becomes effective statewide on January 1, 2011. Local agencies may amend the Building Code, provided the amendments are supported by express findings.

The list below identifies the specific Codes proposed for adoption, as well as the model codes upon which the 2010 Title 24 regulations are based:

*California Building Standards Code*

2010 California Administrative Code  
2010 California Building Code, Vol.1, 2 & Appendix J  
2010 California Residential Code  
2010 California Electrical Code  
2010 California Mechanical Code  
2010 California Plumbing Code  
2010 California Energy Code  
2010 California Elevator Safety Construction Code  
2010 California Historical Building Code  
2010 California Existing Building Code  
2010 California Referenced Standards  
2011 Los Angeles County Fire Code

*Reference Model Code*

2009 International Building Code  
2009 International Residential Code  
2008 National Electrical Code  
2009 Uniform Mechanical Code  
2009 Uniform Plumbing Code

2009 International Exist. Bldg. Code

2009 International Fire Code

In addition, the 1997 Uniform Code for the Abatement of Dangerous Buildings has been included and will continue to be in effect. This Code is based upon and is consistent with the provisions found within the California Building Code. The benefit of adopting this additional Code is that it provides Building and Fire Inspectors/Officials and Plan Examiners with further clarification of the intent and applicability of the California Building Code when presented with a variety of construction issues.




As alluded to previously, local agencies are allowed to amend the California Building Code. However, to maintain a uniform minimum level of regulation throughout the state, any changes to the Code must reflect specific needs unique to the local jurisdiction. The amendments being proposed by staff are exclusively part of the administrative or procedural aspects of the various Codes and concern themselves with subjects that either are not covered by the Codes or are reasonably necessary to effectively implement the Codes. None of the proposed amendments are related to any of the technical aspects of the Codes.

**RELEVENCE TO THE STRATEGIC PLAN**

Under the 3-Year Goal of developing a sustainable community, the adoption of a Green Building Code is identified as a specific objective of the City's Strategic Plan. The adoption of the proposed ordinance will fulfill this objective.

**EXHIBITS**

A. Ordinance No. 10-1990

<b>REVIEW TEAM ONLY</b>	
City Attorney: 	Finance Director: 
City Manager: _____	Other: 

## **ORDINANCE NO. 10-1990**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, AMENDING TITLE 14 OF THE COVINA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2010 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24), INCLUDING THE CALIFORNIA ADMINISTRATIVE CODE (2010 EDITION); THE CALIFORNIA BUILDING CODE VOLUMES 1 & 2 INCLUDING APPENDIX J (2010 EDITION, INCORPORATING AND AMENDING THE 2009 INTERNATIONAL BUILDING CODE); THE CALIFORNIA RESIDENTIAL CODE (2010 EDITION, INCORPORATING AND AMENDING THE 2009 INTERNATIONAL RESIDENTIAL CODE); THE CALIFORNIA GREEN BUILDING STANDARDS CODE (2010 EDITION); THE CALIFORNIA MECHANICAL CODE (2010 EDITION, INCORPORATING AND AMENDING THE 2009 UNIFORM MECHANICAL CODE); THE CALIFORNIA PLUMBING CODE (2010 EDITION, INCORPORATING AND AMENDING THE 2009 UNIFORM PLUMBING CODE); THE CALIFORNIA ELECTRICAL CODE (2010 EDITION, INCORPORATING AND AMENDING THE 2008 NATIONAL ELECTRICAL CODE); THE CALIFORNIA EXISTING BUILDING CODE (2010 EDITION); THE CALIFORNIA ENERGY CODE (2010 EDITION), THE CALIFORNIA ELEVATOR SAFETY CONSTRUCTION CODE (2010 EDITION); THE CALIFORNIA HISTORICAL BUILDING CODE (2010 EDITION); THE CALIFORNIA REFERENCED STANDARDS CODE (2010 EDITION); AND THE 2011 LOS ANGELES COUNTY FIRE CODE, AMENDING THE 2010 CALIFORNIA FIRE CODE (INCORPORATING AND AMENDING THE 2009 INTERNATIONAL FIRE CODE); TOGETHER WITH CERTAIN ADDITIONS, INSERTIONS, DELETIONS AND CHANGES THERETO

THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

**WHEREAS**, California Government Code Section 50022.1 *et seq.* authorizes the City of Covina ("City") to adopt by reference the California Building Standards Code, 2010 Edition (Title 24 of the California Code of Regulations) adopting certain uniform codes, including the 2010 California Building Code, the 2010 California Administrative Code, the 2010 California Mechanical Code, the 2010 California Plumbing Code, the 2010 California Electrical Code, the 2010 California Green Building Standards Code, the 2010 California Residential Code, 2010 California Energy Code, the 2010 California Elevator Safety Construction Code, the 2010 Historical Building Code, the 2010 California Referenced Standards Code, and the 2010 California Existing Building Code; and

**WHEREAS**, the California Building Standards Commission ("Commission") recently adopted new amendments to the California Building Standards Code; and

**WHEREAS**, California Health & Safety Code, Sections 17958.5 and 18941.5 authorize cities and counties to modify the California Building Standards Code by

adopting more restrictive building standards and modifications if such standards and modifications are accompanied by express findings that they are reasonably necessary because of local climatic, geological or topographical conditions; and

**WHEREAS**, the City of Covina desires to adopt the California Building Standards Code as adopted by the State of California Building Standards Commission in Title 24 of the California Code of Regulations (collectively “the Codes”), with necessary amendments that are administrative or procedural in nature or concern subjects not covered in the Codes and which do not affect the technical building standards set forth in the Codes; and

**WHEREAS**, the City held a public hearing on December 7, 2010 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the California Building Standards Code as amended herein; and

**WHEREAS**, the City published notice of the aforementioned public hearing pursuant to California Government Code section 6066; and

**WHEREAS**, any and all other legal prerequisites relating to the adoption of this Ordinance have occurred;

**SECTION 1:** Section 14.02.010 of Title 14 of the Covina Municipal Code is hereby amended to read as follows:

**“14.02.010 Adoption of codes by reference.**

The City adopts by reference and makes part of this chapter by reference, subject to those certain amendments set forth in Chapters 14.04 through 14.18 of the Covina Municipal Code, the following California Building Standards Codes (California Code of Regulations, Title 24), Los Angeles County Code, and Uniform Codes (one copy of each is on file for use and examination by the public in the office of the clerk of the council of the City of Covina):

- A. California Administrative Code, 2010 Edition;
- B. California Building Code, 2010 Edition, including Volumes 1 and 2, and Appendix J, based on the 2009 Edition of the International Building Code as published by the International Code Council;
- C. California Residential Code, 2010 Edition, based on the 2009 Edition of the International Residential Code as published by the International Code Council;
- D. California Electrical Code, 2010 Edition, based on the 2008 Edition of the National Electrical Code as published by the National Fire Protection Association;
- E. California Mechanical Code, 2010 Edition, based on the 2009 Edition of the Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials;
- F. California Plumbing Code, 2010 Edition, based on the 2009 Edition of the Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials;



G. 2011 Los Angeles County Fire Code, amending the 2010 California Fire Code and comprised of the 2009 International Fire Code as published by the International Code Council;

H. California Energy Code, 2010 Edition;

I. California Elevator Safety Construction Code, 2010 Edition;

J. California Historical Building Code, 2010 Edition;

K. California Existing Building Code, 2010 Edition, based on the 2009 Edition of the International Existing Buildings Code as published by the International Code Council.

L. California Referenced Standards Code, 2010 Edition;

M. Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition;

N. California Green Building Standards Code, 2010 Edition.

O. Uniform Housing Code, 1997 Edition.”

**SECTION 2:** Chapter 14.04 of Title 14 of the Covina Municipal Code is hereby amended to read as follows:

### **“Chapter 14.04 BUILDING CODE**

#### **Sections:**

- 14.04.010 2010 California Building Code adoption by reference.
- 14.04.020 Amendments to the 2010 California Building Code.
- 14.04.030 Section 101 of Division II California Administration amended – General.
- 14.04.040 Section 105 Permits- amended – Work exempt from permit.
- 14.04.050 Section 105 – Permits – amended – Time limitation for application.
- 14.04.060 Section 105 – Permits – amended – Expiration.
- 14.04.070 Section 107 amended – Submittal Documents – General – Exception.
- 14.04.080 Section 107 amended – Retention of documents.
- 14.04.090 Section 109 – Fees – amended – Payment of fees.
- 14.04.100 Section 109 – Fees – amended – Schedule of permit fees.
- 14.04.110 Section 109 – Fees – amended – Work commencing before permit issuance.
- 14.04.120 Section 109 – Fees – amended – Refunds.
- 14.04.130 Section 111 – Certificate of Occupancy – amended – Use and occupancy.
- 14.04.140 Section 111 – Certificate of Occupancy – amended – Temporary occupancy.
- 14.04.150 Section 112 – Service Utilities – amended – Temporary connection.
- 14.04.160 Section 113 – Board of Appeals – amended.
- 14.04.170 Section 114 – Violations – amended – Unlawful acts.
- 14.04.180 Section 114 – Violations – amended – Violation penalties.
- 14.04.190 Section 114 – Violations – amended – Legalizing procedures.
- 14.04.200 Appendix J – Grading – amended.

#### **14.04.010 2010 California Building Code adoption by reference.**

The city adopts as its building code the 2010 Edition of the California Building Code, Volumes 1 and 2, including Appendix J, based on the 2009 Edition of the International

Building Code as published by the International Code Council, together with the amendments provided in this chapter, for the purpose of regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all non-residential buildings and/or structures in the city. Said code shall be and become the Covina building code.

One copy of said code is on file in the office of the city clerk, and is hereby referred to, adopted and made a part hereof as if fully set out in this chapter.

**14.04.020 Amendments to the 2010 California Building Code.**

The 2010 California Building Code, including the appendix adopted pursuant to Section 14.04.010 of this chapter, is amended as set forth in Covina Municipal Code Sections 14.04.030 through 14.04.200.

**14.04.030 Section 101 of Division II California Administration amended - General.**

Subsection 101.4 of Section 101 is amended to read as follows:

**101.4 Referenced codes.** Whenever any of the names or terms defined in this Section is used, each such name or term shall be deemed or construed to have the following meaning within the Covina Municipal Code:

‘Building Code’ shall mean Chapter 14.04 of the Covina Municipal Code.

‘Residential Code’ shall mean Chapter 14.05 of the Covina Municipal Code.

‘Electrical Code’ shall mean Chapter 14.06 of the Covina Municipal Code.

‘Mechanical Code’ shall mean Chapter 14.08 of the Covina Municipal Code.

‘Plumbing Code’ shall mean Chapter 14.10 of the Covina Municipal Code.

‘Fire Code’ shall mean Chapter 14.12 of the Covina Municipal Code.

‘Uniform Housing Code’ shall mean Chapter 14.14 of the Covina Municipal Code.

‘Uniform Code for the Abatement of Dangerous Buildings’ shall mean Chapter 14.16 of the Covina Municipal Code.

‘Technical Codes’ shall mean Chapters 14.04, 14.06, 14.08, 14.10, 14.12, 14.13, 14.14, 14.16, 14.18, 14.20, and 14.44 of the Covina Municipal Code.

**14.04.040 Section 105 Permits - amended – Work exempt from permit.**

Subsections 105.2 is amended to read as follows:

**Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m<sup>2</sup>).
2. Fences not over 6 feet (1829 mm) high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III A liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter does not exceed 2:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pool accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons ( 18,925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one-and two-family dwellings.
12. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Groups R-3 and U occupancies.
13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
14. Walls constructed of masonry materials including but not limited to brick, stone, block and concrete that are three (3) feet or less in height measured from the top of the footing to the top of the wall.
15. Window replacements which do not otherwise enlarge or reduce an existing opening or require the removal of an exterior or interior finish material.

**Electrical:**

**Repairs and maintenance:** Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

**Radio and television transmitting stations:** The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

**Temporary testing systems:** A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

**Low Voltage Systems:** Electrical wiring, devices, appliances, apparatus, or equipment operating at less than 25 volts and not capable of supplying more than 1,200 watts of energy.

**Gas:**

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

**Mechanical:**

1. Portable heating appliance.
2. Portable ventilating equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds ( 5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 w) or less.

**Plumbing:**

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

**14.04.050 Section 105 – Permits – amended – Time limitation for application.**

Subsection 105.3.2 is hereby amended to read as follows:

**105.3.2 Time limitation for application.** Applications for which no permit is issued within 180 days following the date of application shall expire by limitation. Submittal documents and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official.

The Building Official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances

beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once.

An application shall not be extended if this Code, or other pertinent laws or ordinances, have been amended after the date of application. In order to renew action on an application after expiration, the applicant shall resubmit submittal documents and pay a new plan review fee.

#### **14.04.060 Section 105 – Permits – amended – Expiration.**

Subsection 105.5 is hereby amended to read as follows:

**105.5 Expiration.** Except as set forth in subsection 105.5.1, every permit issued for property within the City of Covina shall expire by limitation and become null and void as follows:

(i) If work authorized by such permit is not commenced within 180 days from the issuance date of such permit.

(ii) If work authorized by such permit is commenced within 180 days from the issuance date of such permit, such permit shall expire by limitation and become null and void if the work authorized by such permit is suspended or abandoned. For purposes of this subsection, ‘suspended or abandoned’ shall mean that the permittee has, for a period of 180 days or longer after commencing the work authorized by such permit, failed to make substantial progress toward completion of the work, as determined by the Building Official after inspection. The Building Official may, in his or her discretion, grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.”

(iii) In the event of permit expiration, before work authorized pursuant by the expired permit can be commenced or recommenced, a new permit shall first be obtained (hereafter, a ‘renewal permit’). To obtain a renewal permit, the applicant may be required to resubmit plans and specifications, if deemed necessary by the Building Official and/or Chief Planning Official. The applicant must pay all applicable fees, including but not limited to, a plan check fee and building permit fees, in the amount then established by resolution of the City Council. If renewal permits are applied for, a mandatory site inspection shall be performed by the Building Division to determine compliance of existing conditions and materials with this Code. All work to be performed under a renewal permit must be performed in accordance with all applicable technical codes, regulations, laws, and ordinances in effect on the date of issuance of the renewal permit. Renewal permits are subject to expiration as set forth in (ii), above.

(iv) In the event of permit expiration, any work performed under that permit is ‘unpermitted’ as defined in Section 114.1.1 of this chapter, and is subject to the legalization provisions of Section 114.5 of this chapter.

#### **105.5.1 Expiration - Unpermitted Structures or Grading.**

Notwithstanding any provision of Section 105.5, if a building permit was issued in order to bring an unpermitted structure or unpermitted grading (as defined in Section 14.04.100 of this Code) or other unlawful, substandard, or hazardous condition into compliance with any applicable law, ordinance, rule or regulation, such permit shall expire by limitation and become null and void sixty (60) days after the date on which the permit was issued. The Building Official may, in his or her sole discretion, extend the validity of the permit for a period not exceeding 180 days beyond the initial 60 day limit upon written request by the applicant filed with the Building Official prior to the expiration date of the original permit, if the Building Official determines that substantial progress has been made toward completing the work authorized by the permit.

#### **14.04.070 Section 107 amended- Submittal Documents – General - Exception.**

Subsection 107.1 is hereby amended to read as follows:

**107.1 General.** Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the Building Official is authorized to require additional construction documents to be prepared by a registered design professional.

**Exception:** The Building Official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code. Further, except for plans of a common interest development as defined in section 1351 of the California Civil Code, plans need not be filed for:

- (a) Single or multiple dwellings not more than two stories and basement in height.
- (b) Garages and other structures appurtenant to buildings described under subdivision (a).
- (c) Farm or ranch buildings.
- (d) Any one-story building where the span between bearing walls does not exceed 25 feet. The exemption in this subdivision does not, however, apply to a steel frame or concrete building.

#### **14.04.080 Section 107 amended – Retention of documents.**

Subsection 107.5 is hereby amended to read as follows:

**107.5 Retention of Construction Documents.** The Building Official shall maintain an official copy, which may be on microfilm, electronic media, or other type of

photographic copy, of the plans of every building, during the life of the building, for which a permit was issued.

**14.04.090 Section 109 – Fees - amended – Payment of fees.**

Subsection 109.1 is hereby amended to read as follows:

**109.1 Payment of fees.** A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

When submittal documents are required by Section 107, a plan review fee shall be paid at the time of the submittal of the documents for plan review. Said plan review fees shall be established by resolution of the City Council and may be amended from time to time. When plans are incomplete or structurally/architecturally changed after submittal, additional plan review fees shall be charged as established from time to time by resolution of the City Council.

**14.04.100 Section 109 – Fees – amended – Schedule of permit fees.**

Subsection 109.2 is hereby amended to read as follows:

**109.2 Schedule of permit fees.** The fee for each permit shall be established by resolution of the City Council and may be amended from time to time. An additional permit application fee shall be charged for issued permit alterations.

**109.2.1 - Fee waiver.**

A. The City Manager or designee thereof may waive plan review and/or permit fees for projects that meet one or more of the following criteria:

- (1) Housing rehabilitation project applications approved through the Covina Redevelopment Agency's low-income housing program.
- (2) City projects when the contractor is expressly exempt, under the terms of the contract, from payment of such fees.
- (3) City projects when the permit applicant is an employee, official, or representative of the City acting in his/her official capacity.
- (4) Community Development Block Grant projects that have a disposition and development agreement or an economic agreement with the City.
- (5) Projects that utilize green building practices that meet or exceed the intent of an approved national, state, regional, or private standard and the particular practices have been reviewed and approved by the City prior to permit application.

**14.04.110 Section 109 – Fees – amended – Work commencing before permit issuance.**

Subsection 109.4 is hereby amended to read as follows:

**109.4 Work commencing before permit.** Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining

the necessary permits shall be subject to a fee established from time to time by resolution of the city council in addition to the required permit fees. Any person who wishes to legalize an unpermitted structure or unpermitted grading, as defined in Section 114.1 and 114.2, shall submit construction documents as set forth in Section 107 of this chapter.

**14.04.120 Section 109 – Fees – amended – Refunds.**

Subsection 109.6 is hereby amended to read as follows:

**109.6 Refunds.** The Building Official may authorize the refund of any fee paid hereunder which was erroneously paid or collected.

The Building Official may authorize refunding of not more than 80 percent of the permit, plan review, and energy fee paid when no work has been commenced under a permit, or when an application for a permit for which a plan review fee has been paid is withdrawn.

The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of the fee payment.

**14.04.130 Section 111 - Certificate of Occupancy – amended – Use and occupancy.**

Subsection 111.1 is amended to read as follows:

**111.1 Use and occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, nor shall any person, firm, company, corporation or officer, agent or employee thereof, permit or allow a building or structure to be used or occupied or a change in the existing occupancy classification of a building or structure or portion thereof to be made until the Building Official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code.

**14.04.140 Section 111 – Certificate of Occupancy – amended – Temporary occupancy.**

Subsection 111.3 is hereby amended to read as follows:

**111.3. Temporary occupancy.** The Building Official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The Building Official shall set a time period during which the temporary certificate of occupancy is valid. The fee for issuance of each temporary certificate of occupancy shall be established by resolution of the City Council and may be amended from time to time.



**14.04.150 Section 112 - Service Utilities – amended – Temporary connection.**

Subsection 112.2 is hereby amended to read as follows:

**112.2 Temporary connection.** The Building Official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power. Each such method of temporary connection shall be submitted to the Building Official for review. The fee for review of each temporary connection of utilities application shall be established by resolution of the city council and may be amended from time to time.

**14.04.160 Section 113 - Board of Appeals – amended.**

Section 113 is hereby amended to read as follows:

**SECTION 113  
BOARD OF APPEALS**

**113.1 General.** Appeals of orders, decisions or determinations of the Building Official are limited to those enumerated in Section 14.04.160 of the Covina Municipal Code, and shall be filed, scheduled and conducted in accordance with said Section.

**113.1 Scope.** A. Notwithstanding the provisions of the Technical Codes, an appeal is limited to the following orders, decisions, or determinations of the Building Official:

- (1) Denials of the proposed use of alternative materials, design or method of construction, installation, and/or equipment;
- (2) Orders to Vacate and/or Not Enter a building, structure or premises; however, such order shall not be stayed during the pendency of the appeal;
- (3) Orders to Demolish a building or structure; however, an order to vacate that may be issued in conjunction with the Order to Demolish shall not be stayed during the pendency of the appeal.

B. The right of appeal shall not exist for determinations of the Building Official, or a designee thereof, that a violation of any provision of the Technical Codes exists in a building or structure, or portion thereof, or on any premises.

**113.2 Appeal Procedure.** A. Any person who is aggrieved by an order, decision or determination of the Building Official as provided in Section 113.1 may appeal said order, decision or determination. Such appeal shall be in writing and must be filed with the City Clerk within ten (10) business days from the date of service of the order, decision or determination being appealed. The appeal must specify the basis for the appeal in detail, provide a mailing address and telephone number for the appellant, and include the applicable appeal fee. Appeals shall be scheduled in the manner set forth in Section 1.26.090 of the Covina Municipal Code. If a timely appeal is not received by the

City Clerk, the right to appeal is waived and the order, decision or determination of the Building Official is deemed final and binding.

B. Appeals shall be heard before an impartial hearing officer, designated by the public works director or his/her designee. Only those matters or issues specifically raised in the written appeal shall be considered in the hearing. The order, decision or determination of the Building Official shall be prima facie evidence of the violation. The hearing officer may affirm, modify or rescind the order, decision or determination of the Building Official. Appeals before a hearing officer shall be conducted, and decisions shall be issued, in the manner set forth in Section 1.26.100 of the Covina Municipal Code.

C. Any person who is aggrieved by the decision of the hearing officer may appeal said decision to the Board of Appeals. Such appeal shall be in writing, must be filed in the same manner within the same time period, and contain the same information, as an appeal to the hearing officer, as provided in Subsection A of this Section. A second appeal fee must accompany the written appeal. If a timely appeal is not received by the City Clerk, the decision of the hearing officer is deemed final and binding. Failure to appeal a decision to the Board of Appeals shall constitute a failure to exhaust the aggrieved person's administrative remedy.

D. Appeals before the Board of Appeals shall be public, but shall otherwise be scheduled and conducted, and decisions shall be issued, in the same manner as an appeal before the hearing officer.

**113.3 Board of Appeals.** A. The Board of Appeals shall consist of three (3) members of the City of Covina Planning Commission, who shall be appointed by majority vote of the City Council. Each member of the Board of Appeals shall serve for a term of two (2) years, after which any member may be reappointed by the City Council. There shall be no limit to the number of terms a member of the Board of Appeals may serve. Each member of the Board of Appeals shall serve at the pleasure of the City Council and may be removed, at any time, by majority vote of the City Council.

B. A vacancy shall occur on the Board of Appeals where, prior to the expiration of a member's then current term, one of the following occurs:

(1) A member is unable to carry out the duties of the office, whether due to illness, absence, incapacity or other circumstance;

(2) A member voluntarily resigns from the Board of Appeals;

(3) A member is removed from the Board of Appeals by the City Council; or

(4) A member is no longer qualified to sit on the Board of Appeals because he or she no longer serves on the City of Covina Planning Commission. If a vacancy occurs on the Board of Appeals, it shall be filled by the appointment of an interim member, by majority vote of the City Council, who shall serve for the remainder of the departing member's term.

**113.4 Limitation on Authority of Board of Appeals.** The Board of Appeals shall have no authority to waive the technical requirements of the Building Code or other technical codes adopted in Title 14 of the Covina Municipal Code.

**14.04.170 Section 114 – Violations – amended – Unlawful acts.**

Subsection 114.1 is hereby amended to read as follows:

**114.1 Unlawful Acts.** It shall be unlawful for any person, firm, or corporation to erect, construct, alter, extend, repair, move, remove, demolish, occupy or maintain any building, structure, equipment, installation or land regulated by the Technical Codes, or cause or permit the same to be done, in conflict with or in violation of any of the provisions of the Technical Codes.

**114.1.1 Unpermitted Structures.** No person shall own, use, occupy, or maintain an unpermitted structure. For purposes of this section, ‘unpermitted structure’ shall be defined as any building or structure, or portion thereof, that was erected, constructed, enlarged, altered, repaired, moved, improved, removed, connected, converted, demolished, or equipped, at any point in time by any person, without the required permit(s) having first been obtained from the Building Official or with a valid permit as issued by the Building Official which subsequently expired and became null and void.

**114.1.2 Unpermitted Grading.** No person shall own, use, occupy or maintain unpermitted grading. For purposes of this section, ‘unpermitted grading’ shall be defined as any land which has been excavated, cut, filled, graded, compacted or terraced, at any point in time by any person, without the required permit(s) having first been obtained from the Building Official or with a valid permit as issued by the Building Official which subsequently expired and became null and void.

**14.04.180 Section 114 – Violations – amended – Violation penalties.**

Subsection 114.4 is hereby amended to read as follows:

**114.4 Violation Penalties.** Any person, firm or corporation who violates any provision of the Technical Codes, or fails to comply with any of the requirements thereof, or who erects, constructs, alters, repairs or maintains a building, structure, installation or equipment, or excavates, cuts, fills, grades, compacts or maintains land in violation of approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of the Technical Codes, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to the punishments set forth in Chapter 1.16 of the Covina Municipal Code.

Each and every day, or portion thereof, during which any violation of the Technical Codes occurs or continues constitutes a separate and distinct offense.

**14.04.190 Section 114 – Violations – amended – Legalizing procedures.**

Section 114 is hereby amended by adding thereto Subsection 114.5 Procedure for Legalizing Unpermitted Structures or Grading to read as follows:

**114.5 Procedure for legalizing unpermitted structures or grading.** The procedures specified within subsections 114.5.1 through 114.5.6 shall be followed whenever an attempt is made to legalize an unpermitted structure or unpermitted grading.

**114.5.1 Permits.** Any person who wishes to legalize an unpermitted structure or unpermitted grading, as defined in Section 114.1.1 and 114.1.2, shall obtain all applicable permits. Unpermitted structures and grading shall comply with all current Technical Code requirements and other required approvals pursuant to the Covina Municipal Code in order to be legalized.

Permits obtained to legalize unpermitted structures or grading shall expire as set forth in Section 105.5.1 of this code.

**114.5.2 Plans.** Prior to the issuance or granting of any permit to legalize an unpermitted structure, plans showing the plot plan, exterior elevations, existing structures proposed structures, and proposed finish materials shall be submitted to the Chief Planning Official and Building Official for review and approval.

**114.5.3 Grading.** Prior to the issuance or granting of any permit to legalize unpermitted grading, a grading and drainage plan showing the original grade and existing unpermitted grade on the premises and the existing grade on adjoining properties, and a soils report shall be submitted to the Chief Planning Official, Building Official, and City Engineer for review and approval.

**114.5.4 Inspections.** Unpermitted structures or unpermitted grading for which a permit has subsequently been obtained shall be subject to inspection by the Building Official in accordance with, and in the manner prescribed in, the Technical Codes. The Building Official may require the removal of finish materials in order to expose framing elements, electrical components, plumbing fixtures, or mechanical systems, or may require the removal of fill, to verify that installation, construction, or grading was performed in conformance with the Technical Codes.

**114.5.5 Investigation.** Whenever any work for which a permit is required by this code has commenced on land or in connection with any type of structure without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. For purposes of this section, "special investigation" shall include, but is not limited to, inspecting premises and structures, reviewing permit, license and other records of the City or other agencies, reviewing plans, taking photographs, engaging in conferences and communications with other officials of the City or other agencies, and engaging in conferences and communications with owners or other responsible persons concerning the unpermitted structure or grading.

**114.5.5.1 Fee.** A special investigation fee shall be paid prior to the issuance of a permit for an unpermitted structure or unpermitted grading. The fee shall be equal to the amount of time expended by city officials in undertaking the special

investigation, as defined in Section 114.5.5, charged at the hourly rate that has been established by resolution of the City Council for recovery of code enforcement fees pursuant to Section 1.28.020.

The payment of such investigation fee shall not exempt any person from compliance with all other provision of this code nor from any penalty prescribed by law.

**114.5.6 Unpermitted Structures or Grading Which Cannot be Legalized.**

If the Chief Planning Official determines that the City's zoning regulations prohibit legalization of any unpermitted structure, the structure shall be demolished or, if previously permitted, restored to its original approved condition, with all requisite permits, inspections and approvals.

If the Building Official determines that an unpermitted structure cannot be made to conform to the current applicable Technical Code requirements, the structure shall be demolished or, if previously permitted, restored to its original approved condition, with all requisite permits, inspections and approvals.

If the Building Official and/or City Engineer determines that unpermitted grading and/or lot drainage cannot be made to conform with current applicable Technical Code requirements, the land shall be fully restored to the condition that preceded the unpermitted grading, with all requisite permits, inspections and approvals.

**14.04.200 Appendix J – Grading - amended.**

Where the term 'Building Official' appears in Appendix J, it shall mean 'Building Official or City Engineer'."

**SECTION 3:** Title 14 of the Covina Municipal Code is hereby amended by adding thereto a new Chapter 14.05 to read as follows:

**“Chapter 14.05  
RESIDENTIAL CODE**

**Sections:**

- |           |  |
|-----------|--|
| 14.05.010 | 2010 California Residential Code adoption by reference.                  |
| 14.05.020 | Amendments to the 2010 California Residential Code.                      |
| 14.05.030 | Section R105 – Permits – amended – Work exempt from permit.              |
| 14.05.040 | Section R105 – Permits – amended – Time limitation for application.      |
| 14.05.050 | Section R105 – Permits – amended – Expiration.                           |
| 14.05.060 | Section R106 – Construction Documents – amended – Submittal documents.   |
| 14.05.070 | Section R106 – Construction Documents – amended – Retention.             |
| 14.05.080 | Section R108 – Fees – amended.   |
| 14.05.090 | Section R110 – Certificate of Occupancy – amended – Use and occupancy.   |
| 14.05.100 | Section R110 – Certificate of Occupancy – amended – Temporary occupancy. |

- 14.05.110 Section R111 – Service Utilities – amended – Temporary connections.
- 14.05.120 Section R112 - Board of Appeals – amended.
- 14.05.130 Section R113 - Violations – amended – Unlawful acts.
- 14.05.140 Section R113 – Violations – amended – Violation penalties.
- 14.05.150 Section R113 – Violations – amended – Legalizing procedure.

**14.05.010 2010 California Residential Code adoption by reference.**

The City adopts as its residential code the 2010 Edition of the California Residential Code based on the 2009 Edition of the International Residential Code as published by the International Code Council, together with the amendments provided in this chapter, for the purpose of regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of residential buildings and their accessory structures within the city. Said code shall be and become the Covina residential code.

**14.05.020 Amendments to the 2010 California Residential Code.**

The 2010 California Residential Code is amended as set forth in Covina Municipal Code Sections 14.05.030 through 14.05.150.

**14.05.030 Section R105 – Permits – amended – Work exempt from permit.**

Subsection R105.2 is hereby amended to read as follows:

**105.2 Work exempt from permit.** Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

**Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m2).
2. Fences not over 6 feet (1829 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.
5. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and not part of an accessible route.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.

9. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

10. Decks not exceeding 200 square feet (18.59 m<sup>2</sup>) in area that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

11. Walls constructed of masonry materials including but not limited to brick, stone, block and concrete that are three (3) feet or less in height measured from the top of the footing to the top of the wall.

12. Window replacements which do not otherwise enlarge or reduce an existing opening or require the removal of an exterior or interior finish material.

**Electrical:**

1. Listed cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

**Gas:**

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

**Mechanical:**

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot- or chilled-water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

**Plumbing:**

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

**14.05.040 Section R105 – Permits – amended – Time limitation for application.**

Subsection R105.3.2 is hereby amended to read as follows:

**R105.3.2 Time limitation of application.** Applications for which no permit is issued within 180 days following the date of application shall expire by limitation. Submittal documents and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official.

The Building Official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once.

An application shall not be extended if this Code, or other pertinent laws or ordinances, have been amended after the date of application. In order to renew action on an application after expiration, the applicant shall resubmit submittal documents and pay a new plan review fee.

**14.05.050 Section R105 – Permits – amended – Expiration.**

Subsection R105.5 is hereby amended to read as follows:

**R105.5 Expiration – General.** Except as set forth in Section R105.5.1, every permit issued for property within the City of Covina shall expire by limitation and become null and void as follows:

(i) If work authorized by such permit is not commenced within 180 days from the issuance date of such permit.

(ii) If work authorized by such permit is commenced within 180 days from the issuance date of such permit, such permit shall expire by limitation and become null and void if the work authorized by such permit is suspended or abandoned. For purposes of this subsection, ‘suspended or abandoned’ shall mean that the permittee has, for a period of 180 days or longer after commencing the work authorized by such permit, failed to make substantial progress toward completion of the work, as determined by the Building Official after inspection. The Building Official may, in his or her discretion, grant, in



writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

(iii) In the event of permit expiration, before work authorized pursuant by the expired permit can be commenced or recommenced, a new permit shall first be obtained (hereafter, a 'renewal permit'). To obtain a renewal permit, the applicant may be required to resubmit plans and specifications, if deemed necessary by the Building Official and/or Chief Planning Official. The applicant must pay all applicable fees, including but not limited to, a plan check fee and building permit fees, in the amount then established by resolution of the City Council. If renewal permits are applied for, a mandatory site inspection shall be performed by the Building Division to determine compliance of existing conditions and materials with this Code. All work to be performed under a renewal permit must be performed in accordance with all applicable technical codes, regulations, laws, and ordinances in effect on the date of issuance of the renewal permit. Renewal permits are subject to expiration as set forth in (ii), above.

(iv) In the event of permit expiration, any work performed under that permit is 'unpermitted' as defined in Section R113.1.1 of this chapter, and is subject to the legalization provisions of Section R116 of this chapter.

#### **R105.5.1 Expiration - Unpermitted structures or grading.**

Notwithstanding any provision of Section R105.5, if a building permit was issued in order to bring an unpermitted structure or unpermitted grading (as defined in Section 14.05.090 of this Code) or other unlawful, substandard, or hazardous condition into compliance with any applicable law, ordinance, rule or regulation, such permit shall expire by limitation and become null and void sixty (60) days after the date on which the permit was issued. The Building Official may, in his or her sole discretion, extend the validity of the permit for a period not exceeding 180 days beyond the initial 60 day limit upon written request by the applicant filed with the Building Official prior to the expiration date of the original permit, if the Building Official determines that substantial progress has been made toward completing the work authorized by the permit.

#### **14.05.060 Section R106 – Construction Documents – amended – Submittal documents.**

Subsection R106.1 is hereby amended to read as follows:

**R106.1 Submittal documents.** Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the Building Official is authorized to require additional construction documents to be prepared by a registered design professional.

**Exception:** The Building Official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of

construction documents is not necessary to obtain compliance with this code. Further, except for plans of a common interest development as defined in section 1351 of the California Civil Code, plans need not be filed for:

(a) Single or multiple dwellings not more than two stories and basement in height.

(b) Garages and other structures appurtenant to buildings described under subdivision (a).

(c) Farm or ranch buildings.

(d) Any one-story building where the span between bearing walls does not exceed 25 feet. The exemption in this subdivision does not, however, apply to a steel frame or concrete building.

#### **14.05.070 Section R106 – Construction Documents – amended – Retention.**

Subsection R106.5 is hereby amended to read as follows:

**R106.5 Retention of construction documents.** The Building Official shall maintain an official copy, which may be on microfilm, electronic media, or other type of photographic copy, of the plans of every building, during the life of the building, for which a permit was issued.

#### **14.05.080 Section R108 – Fees - amended.**

Section R108 is hereby amended to read as follows:

### **SECTION R108 FEES**

**R108.1 Payment of fees.** A permit shall not be valid until the fees prescribed by law have been paid. Nor shall any amendment to a permit be released until the additional fee, if any, has been paid. When submittal documents are required by Section R106, a plan review fee shall be paid at the time of the submittal of the documents for plan review. Said permit and plan review fees shall be established by resolution of the city council and may be amended from time to time. When plans are incomplete or structurally/architecturally changed after submittal, additional plan review fees shall be charged as established by resolution of the city council.

**R108.2 Schedule of permit fees.** The fee for each permit shall be established by resolution of the City Council and may be amended from time to time. An additional permit application fee shall be charged for issued permit alterations.

**R108.2.1 Fee Waiver.** A. City Manager, or designee thereof, may waive plan review and/or permit fees for projects that meet one or more of the following criteria:

(1) Housing rehabilitation project applications approved through the Covina Redevelopment Agency's low-income housing program.

(2) City projects when the contractor is expressly exempt, under the terms of the contract, from payment of such fees.

(3) City projects when the permit applicant is an employee, official, or representative of the City acting in his/her official capacity.

(4) Community Development Block Grant projects that have a disposition and development agreement or an economic agreement with the City.

(5) Projects that utilize green building practices that meet or exceed the intent of an approved national, state, regional, or private standard and the particular practices have been reviewed and approved by the City prior to permit application.

**R108.3 Building permit valuations.** Building permit valuations shall include total value of the work for which a permit is being issued, such electrical, gas, mechanical, plumbing equipment and other permanent systems, including materials and labor.

**R108.4 Related fees.** The payment of the fee for the construction, alteration, removal or demolition for work done in connection with or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

**R108.5 Refunds.** The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The Building Official may authorize refunding of not more than 80 percent of the permit, plan review, and energy fee paid when no work has been commenced under a permit, or when an application for a permit for which a plan review fee has been paid is withdrawn.

The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of the fee payment.

**R108.6 Work commencing before permit issuance.** Any person who commences work requiring a permit on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established from time to time by resolution of the city council that shall be in addition to the required permit fees. Any person who wishes to legalize an unpermitted structure or unpermitted grading, as defined in Section R113.1.1 and R113.1.2, shall submit construction documents as set forth in Section R106 of this chapter.

**14.05.090 Section R110 - Certificate of Occupancy – amended – Use and occupancy.**

Subsection R110.1 is hereby amended to read as follows:

**R110.1 Use and occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, nor shall any person, firm, company, corporation or officer, agent or employee thereof, permit or allow a building or structure to be used or occupied or a change in the existing occupancy classification of a building or structure or portion thereof to be made until the Building Official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the city. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the city shall not be valid.

**14.05.100 Section R110 – Certificate of Occupancy – amended – Temporary occupancy.**

Subsection R110.4 is hereby amended to read as follows:

**R110.4 Temporary occupancy.** The Building Official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The Building Official shall set a time period during which the temporary certificate of occupancy is valid. The fee for issuance of each temporary certificate of occupancy shall be established by resolution of the City Council and may be amended from time to time.

**14.05.110 Section R111 - Service Utilities – amended – Temporary connections.**

Subsection R111.2 is hereby amended to read as follows:

**R111.2 Temporary connection.** The Building Official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power. Each such method of temporary connection shall be submitted to the Building Official for review. The fee for review of each temporary connection of utilities application shall be established by resolution of the city council and may be amended from time to time.

**14.05.120 Section R112 - Board of Appeals - amended.**

Section R112 is hereby amended to read as follows:

**SECTION R112  
BOARD OF APPEALS**

**R112.1 General.** Appeals of orders, decisions or determinations of the Building Official are limited to those enumerated in Section 14.05.120 of the Covina Municipal Code, and shall be filed, scheduled and conducted in accordance with said Section.

**R112.2 Scope of appeal.** A. Notwithstanding the provisions of the Technical Codes, an appeal is limited to the following orders, decisions, or determinations of the Building Official:

(1) Denials of the proposed use of alternative materials, design or method of construction, installation, and/or equipment;

(2) Orders to Vacate and/or Not Enter a building, structure or premises; however, such order shall not be stayed during the pendency of the appeal;

(3) Orders to Demolish a building or structure; however, an order to vacate that may be issued in conjunction with the Order to Demolish shall not be stayed during the pendency of the appeal.

B. The right of appeal shall not exist for determinations of the Building Official, or a designee thereof, that a violation of any provision of the Technical Codes exists in a building or structure, or portion thereof, or on any premises.

**R112.3 Appeal procedure.** A. Any person who is aggrieved by an order, decision or determination of the Building Official as provided in Section 112.1 may appeal said order, decision or determination. Such appeal shall be in writing and must be filed with the Director of Public Works within ten (10) business days from the date of service of the order, decision or determination being appealed. The appeal must specify the basis for the appeal in detail, provide a mailing address and telephone number for the appellant, and include the applicable appeal fee. Appeals shall be scheduled in the manner set forth in Section 1.26.090 of the Covina Municipal Code. If a timely appeal is not received by the Director of Public Works, the right to appeal is waived and the order, decision or determination of the Building Official is deemed final and binding.

B. Appeals shall be heard before an impartial hearing officer, designated by the public works director or his/her designee. Only those matters or issues specifically raised in the written appeal shall be considered in the hearing. The order, decision or determination of the Building Official shall be prima facie evidence of the violation. The hearing officer may affirm, modify or rescind the order, decision or determination of the Building Official. Appeals before a hearing officer shall be conducted, and decisions shall be issued, in the manner set forth in Section 1.26.100 of the Covina Municipal Code.

C. Any person who is aggrieved by the decision of the hearing officer may appeal said decision to the Board of Appeals. Such appeal shall be in writing, must be filed in the same manner within the same time period, and contain the same information, as an appeal to the hearing officer, as provided in Subsection A of this Section. A second appeal fee must accompany the written appeal. If a timely appeal is not received by the Director of Public Works, the decision of the hearing officer is deemed final and binding. Failure to appeal a decision to the Board of Appeals shall constitute a failure to exhaust the aggrieved person's administrative remedy.

D. Appeals before the Board of Appeals shall be public, but shall otherwise be scheduled and conducted, and decisions shall be issued, in the same manner as an appeal before the hearing officer.

**R112.4 Board of appeals.** A. The Board of Appeals shall consist of three (3) members of the City of Covina Planning Commission, who shall be appointed by

majority vote of the City Council. Each member of the Board of Appeals shall serve for a term of two (2) years, after which any member may be reappointed by the City Council. There shall be no limit to the number of terms a member of the Board of Appeals may serve. Each member of the Board of Appeals shall serve at the pleasure of the City Council and may be removed, at any time, by majority vote of the City Council.

B. A vacancy shall occur on the Board of Appeals where, prior to the expiration of a member's then current term, one of the following occurs:

(1) A member is unable to carry out the duties of the office, whether due to illness, absence, incapacity or other circumstance;

(2) A member voluntarily resigns from the Board of Appeals;

(3) A member is removed from the Board of Appeals by the City Council; or

(4) A member is no longer qualified to sit on the Board of Appeals because he or she no longer serves on the City of Covina Planning Commission.

If a vacancy occurs on the Board of Appeals, it shall be filled by the appointment of an interim member, by majority vote of the City Council, who shall serve for the remainder of the departing member's term.

**R112.5 Limitation on authority of board of appeals.** The Board of Appeals shall have no authority to waive the technical requirements of the Building Code or other technical codes adopted in Title 14 of the Covina Municipal Code.

#### **14.05.130 Section R113 – Violations – amended – Unlawful acts.**

Subsection R113.1 is hereby amended to read as follows:

**R113.1 Unlawful acts.** It shall be unlawful for any person, firm, or corporation to erect, construct, alter, extend, repair, move, remove, demolish, occupy or maintain any building, structure, equipment, installation or land regulated by this code, or cause or permit the same to be done, in conflict with or in violation of any of the provisions of this code.

**R113.1.1 Unpermitted structures.** No person shall own, use, occupy, or maintain an unpermitted structure. For purposes of this section, 'unpermitted structure' shall be defined as any building or structure, or portion thereof, that was erected, constructed, enlarged, altered, repaired, moved, improved, removed, connected, converted, demolished, or equipped, at any point in time by any person, without the required permit(s) having first been obtained from the Building Official or with a valid permit as issued by the Building Official which subsequently expired and became null and void.

**R113.1.2 Unpermitted grading.** No person shall own, use, occupy or maintain unpermitted grading. For purposes of this section, 'unpermitted grading' shall be defined as any land which has been excavated, cut, filled, graded, compacted or terraced, at any point in time by any person, without the required permit(s) having first

been obtained from the Building Official or with a valid permit as issued by the Building Official which subsequently expired and became null and void.

**14.05.140 Section R113 – Violations – amended – Violation penalties.**

Subsection R113.4 is hereby amended to read as follows:

**R113.4 Violation penalties.** Any person, firm or corporation who violates any provision of the Technical Codes, or fails to comply with any of the requirements thereof, or who erects, constructs, alters, repairs or maintains a building, structure, installation or equipment, or excavates, cuts, fills, grades, compacts or maintains land in violation of approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of the Technical Codes, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to the punishments set forth in Chapter 1.16 of the Covina Municipal Code.

Each and every day, or portion thereof, during which any violation of the Technical Codes occurs or continues constitutes a separate and distinct offense.

**14.05.150 Section R113 – Violations – amended – Legalizing procedure.**

Subsection R113.5 Procedure for legalizing unpermitted structures or grading is hereby added to read as follows:

**R113.5 Procedure for legalizing unpermitted structures or grading.** The procedures specified within subsections R113.5.1 through R113.5.6 shall be followed whenever an attempt is made to legalize an unpermitted structure or unpermitted grading.

**R113.5.1 Permits.** Any person who wishes to legalize an unpermitted structure or unpermitted grading, as defined in Section R113.1.1 and R113.1.2, shall obtain all applicable permits. Unpermitted structures and grading shall comply with all current Technical Code requirements and other required approvals pursuant to the Covina Municipal Code in order to be legalized.

Permits obtained to legalize unpermitted structures or grading shall expire as set forth in Section R105.5.1 of this code.

**R113.5.2 Plans.** Prior to the issuance or granting of any permit to legalize an unpermitted structure, plans showing the plot plan, exterior elevations, existing structures proposed structures, and proposed finish materials shall be submitted to the Chief Planning Official and Building Official for review and approval.

**R113.5.3 Grading.** Prior to the issuance or granting of any permit to legalize unpermitted grading, a grading and drainage plan showing the original grade and existing unpermitted grade on the premises and the existing grade on adjoining

properties, and a soils report shall be submitted to the Chief Planning Official, Building Official, and City Engineer for review and approval.

**R113.5.4 Inspections.** Unpermitted structures or unpermitted grading for which a permit has subsequently been obtained shall be subject to inspection by the Building Official in accordance with, and in the manner prescribed in, the Technical Codes. The Building Official may require the removal of finish materials in order to expose framing elements, electrical components, plumbing fixtures, or mechanical systems, or may require the removal of fill, to verify that installation, construction, or grading was performed in conformance with the Technical Codes.

**R113.5.5 Investigation.** Whenever any work for which a permit is required by this code has commenced on land or in connection with any type of structure without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. For purposes of this section, "special investigation" shall include, but is not limited to, inspecting premises and structures, reviewing permit, license and other records of the City or other agencies, reviewing plans, taking photographs, engaging in conferences and communications with other officials of the City or other agencies, and engaging in conferences and communications with owners or other responsible persons concerning the unpermitted structure or grading.

**R113.5.5.1 Fee.** A special investigation fee shall be paid prior to the issuance of a permit for an unpermitted structure or unpermitted grading. The fee shall be equal to the amount of time expended by city officials in undertaking the special investigation, as defined in Section R113.5.5, charged at the hourly rate that has been established by resolution of the City Council for recovery of code enforcement fees pursuant to Section 1.28.020.

The payment of such investigation fee shall not exempt any person from compliance with all other provision of this code nor from any penalty prescribed by law.

**R113.5.6 Unpermitted Structures or Grading Which Cannot be Legalized.** If the Chief Planning Official determines that the City's zoning regulations prohibit legalization of any unpermitted structure, the structure shall be demolished or, if previously permitted, restored to its original approved condition, with all requisite permits, inspections and approvals.

If the Building Official determines that an unpermitted structure cannot be made to conform to the current applicable Technical Code requirements, the structure shall be demolished or, if previously permitted, restored to its original approved condition, with all requisite permits, inspections and approvals.

If the Building Official and/or City Engineer determines that unpermitted grading and/or lot drainage cannot be made to conform with current applicable Technical Code requirements, the land shall be fully restored to the condition that preceded the unpermitted grading, with all requisite permits, inspections and approvals."



**SECTION 4:** Chapter 14.06 of Title 14 of the Covina Municipal Code is hereby amended to read as follows:

**“Chapter 14.06  
ELECTRICAL CODE**

Sections:

- 14.06.010      2010 California Electrical Code adoption by reference.
- 14.06.020      Amendments to the 2010 California Electrical Code.
- 14.06.030      Subsection 89.108.4.2 – Fees – amended.
- 14.06.040      Subsection 89.108.8 – Appeals board – amended.
- 14.06.050      Subsection 89.108.9.2 – Violations and penalties – amended.

**14.06.010      2010 California Electrical Code adoption by reference.**

The City adopts as its electrical code the 2010 Edition of the California Electrical Code based on the 2008 Edition of the National Electrical Code as published by the National Fire Protection Association, together with the amendments provided in this chapter, for the purpose of regulating all installation, arrangement, alteration, repair, use and other operation of electrical wiring, connections, fixtures and other electrical appliances on premises within the city.

One copy of said code is on file in the office of the city clerk, and is hereby referred to, adopted and made a part hereof as if fully set out in this chapter.

**14.06.020      Amendments to the 2010 California Electrical Code.**

The 2010 California Electrical Code and parts of the 2008 National Electrical Code adopted by this chapter are amended and changed as set forth in CMC 14.06.030 through 14.06.050.

**14.06.030      Subsection 89.108.4.2 – Fees - amended.**

Subsection 89.108.4.2 is hereby amended to read as follows:

**89.108.4.2 Permit fees.** A fee for each electrical permit shall be established by resolution of the City Council and may be amended from time to time. An additional permit application fee shall be charged for issued permit alterations.

**89.108.4.2.1 Plan Review Fees.** A fee for each plan review shall be established by resolution of the City Council and may be amended from time to time. When plans are incomplete or the design is changed after submittal, additional plan review fees shall be charged as established by resolution of the City Council.

**14.06.040      Subsection 89.108.8 - Appeals board - amended.**

Subsection 89.108.8 is hereby amended to read as follows:

**89.108.8 Appeals.** Appeals of orders, decisions or determinations of the Building Official are limited to those enumerated in Section 14.04.160 of the Covina Municipal Code, and shall be filed, scheduled and conducted in accordance with said Section.

**14.06.050 Subsection 89.108.9.2 - Violations and penalties - amended.**

Subsection 89.108.9.2 is hereby repealed and amended to read as follows:

**89.108.9.2 Violations and Penalties.** Any person, firm or corporation violating any provisions of this code shall be deemed guilty of a misdemeanor and, upon conviction thereof shall be punishable in accordance with chapter 1.16 of this Code. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this code. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except insofar as the work or use which is authorized is lawful.”

**SECTION 5:** Chapter 14.08 of Title 14 of the Covina Municipal Code is hereby amended to read as follows:

**“Chapter 14.08  
MECHANICAL CODE**

Sections:

- 14.08.010 2010 California Mechanical Code adoption by reference.
- 14.08.020 Amendments to the 2010 California Mechanical Code.
- 14.08.030 Section 110 – Board of Appeals – amended.
- 14.08.040 Section 111 – Violations – amended.
- 14.08.050 Section 115 – Fees – amended.

**14.08.010 2010 California Mechanical Code adoption by reference.**

The City adopts as its mechanical code the 2010 Edition of the California Mechanical Code based on the 2009 Edition of the Uniform Mechanical Code as published by the International Association of Plumbing, and Mechanical Officials, together with the amendments provided in this chapter, for the purpose of regulating all related installations, arrangements, alterations, repairs, uses and other operations of mechanical systems, appliances, and apparatus on premises within the city.

One copy of said code is on file in the office of the city clerk, and is hereby referred to, adopted and made a part hereof as if fully set out in this chapter.

**14.08.020 Amendments to the 2010 California Mechanical Code.**

The 2010 California Mechanical Code and parts of the 2009 Uniform Mechanical Code adopted by this chapter are amended and changed as set forth in CMC 14.08.030 through 14.08.050.

**14.08.030 Section 110 – Board of Appeals - amended.**

Section 110 of the Mechanical Code is hereby amended to read as follows:

**Section 110 Appeals.** Appeals of orders, decisions or determinations of the Building Official are limited to those enumerated in Section 14.04.160 of the Covina

Municipal Code, and shall be filed, scheduled and conducted in accordance with said Section.

**14.08.040 Section 111 – Violations - amended.**

Section 111 is hereby amended to read as follows:

**Section 111 Violations and Penalties.** Any person, firm or corporation violating any provisions of this code shall be deemed guilty of a misdemeanor and, upon conviction thereof shall be punishable in accordance with chapter 1.16 of this Code. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this code. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except insofar as the work or use which is authorized is lawful.

**14.08.050 Section 115 – Fees - amended.**

Subsections 115.2 and 115.3 of the Mechanical Code are hereby amended to read as follows:

**115.2 Permit Fees.** A fee for each mechanical permit shall be established by resolution of the City Council and may be amended from time to time. An additional permit application fee shall be charged for issued permit alterations.

**115.3 Plan Review Fees.** A fee for each mechanical plan review shall be established by resolution of the City Council and may be amended from time to time. When plans are incomplete or the design changed after submittal, additional plan review fees shall be charged as established by resolution of the City Council.”

**SECTION 6:** Chapter 14.10 of Title 1f of the Covina Municipal Code is hereby amended to read as follows:

**“Chapter 14.10  
PLUMBING CODE**

Sections:

- 14.10.010 2010 California Plumbing Code adoption by reference.
- 14.10.020 Amendments to 2010 California Plumbing Code.
- 14.10.030 Section 102 – Organization and Enforcement – amended.
- 14.10.040 Section 103 – Fees – amended.

**14.10.010 2010 California Plumbing Code adoption by reference.**

The city adopts as its plumbing code the 2010 Edition of the California Plumbing Code based on the 2009 Edition of the Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, together with the amendments provided in this chapter, for the purpose of regulating the erection,

installation, alteration, repair, relocation, replacement, maintenance or use of plumbing systems within the city.

One copy of said code is on file in the office of the city clerk, and is hereby referred to, adopted and made a part hereof as if fully set out in this chapter.

**14.10.020 Amendments to 2010 California Plumbing Code.**

The 2010 California Plumbing Code and parts of the 2009 Uniform Plumbing Code adopted by this chapter are amended and changed as set forth in CMC 14.10.030 through 14.10.040.

**14.10.030 Section 102 – Organization and Enforcement - amended.**

Subsection 102.3 of the Plumbing Code is hereby amended and new Subsection 102.4 is hereby added to read as follows:

**102.3 Violations and penalties.** Any person, firm or corporation violating any provisions of this code shall be deemed guilty of a misdemeanor and, upon conviction thereof shall be punishable in accordance with chapter 1.16 of this Code. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this code. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except insofar as the work or use which is authorized is lawful.

**102.4 Appeals.** Appeals of orders, decisions or determinations of the Building Official are limited to those enumerated in Section 14.04.160 of the Covina Municipal Code, and shall be filed, scheduled and conducted in accordance with said Section.

**14.10.040 Section 103 – Fees - amended.**

Subsections 103.4.1 and 103.4.2 of the Plumbing Code are hereby amended to read as follows:

**103.4.1 Permit Fees.** A fee for each Plumbing permit shall be established by resolution of the City Council and may be amended from time to time. An additional permit application fee shall be charged for issued permit alterations.

**103.4.2 Plan Review Fees.** A fee for each plan review shall be established by resolution of the City Council and may be amended from time to time. When plans are incomplete or the design changed after submittal, additional plan review fees shall be charged as established by resolution of the City Council.”

**SECTION 7:** Chapter 14.12 of Title 14 of the Covina Municipal Code is hereby amended to read as follows:

**“Chapter 14.12  
FIRE CODE**

Sections:

- 14.12.010 2011 Los Angeles County Fire Code – Adoption by reference.
- 14.12.020 Amendments to the 2011 Los Angeles County Fire Code.
- 14.12.030 Section 108 – Board of Appeals – amended.
- 14.12.040 Subsection 109.3 – Violations penalties - amended
- 14.12.050 Subsection 113.2 – Fees – amended.

**14.12.010 2011 Los Angeles County Fire Code – Adoption by reference.**

Pursuant to the provisions of the Government Code of the State of California, the city council hereby adopts as the fire prevention code of and for the city of Covina, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, explosion, or toxic exposure, that certain code marked and designated the 2011 Los Angeles County Fire Code (Title 32, Los Angeles County Code) adopted by the Los Angeles County board of supervisors, amending the 2010 California Fire Code, incorporating the 2009 International Fire Code published by the International Code Council, of which code not less than one copy has been and is now filed in the office of the city clerk, and the same is adopted and incorporated as though fully set forth herein and from the date on which this section shall take effect the provisions thereof shall be controlling within the limits of the city, subject to the exceptions and provisions hereinafter deleted, modified or amended in this chapter. The 2011 Los Angeles County Fire Code as adopted and amended by this chapter may be cited as “the fire code.”

**14.12.020 Amendments to the 2011 Los Angeles County Fire Code.**

The 2011 Los Angeles County Fire Code and parts of the 2010 California Fire Code and 2009 International Fire Code adopted by this chapter are amended and changed as set forth in CMC 14.12.030 through 14.12.050.

**14.12.030 Section 108 – Board of Appeals - amended.**

Section 108 of the Fire Code is hereby amended to read as follows:

**108 Appeals.** Appeals of orders, decisions or determinations of the Building Official are limited to those enumerated in Section 14.04.160 of the Covina Municipal Code, and shall be filed, scheduled and conducted in accordance with said Section.

**14.12.040 Subsection 109.3 – Violation penalties - amended.**

Subsection 109.3 of the Fire Code is hereby amended to read as follows:

**109.3 Violation penalties.** Any person, firm or corporation violating any provisions of this code shall be deemed guilty of a misdemeanor and, upon conviction thereof shall be punishable in accordance with chapter 1.16 of this Code. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this code. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except insofar as the work or use which is authorized is lawful.

**14.12.050 Subsection 113.2 – Fees - amended.**

Subsection 113.2 of the Fire Code is hereby amended to read as follows:

**113.2 Fees.** A fee for each permit/plan review shall be established by resolution of the City Council and may be amended from time to time. An additional permit application fee shall be charged for issued permit alterations. When plans are incomplete or the design changed after submittal, additional plan review fees shall be charged as established by resolution of the City Council.”

**SECTION 8:** Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof, is for any reason held to be unconstitutional or void, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional or void.

**SECTION 9:** Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passes and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a local weekly newspaper of general circulation and which is designated for that purpose.

**ORDINANCE PASSED AND APPROVED** on this \_\_\_\_ day of \_\_\_\_\_, 2010.

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Peggy Delach  
Mayor

ATTEST:

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City Clerk

APPROVED AS TO FORM:

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City Attorney

# **CITY OF COVINA**

## **AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** CC 8

**STAFF SOURCE:** Robert Neiuber, Director of Community Development ✓  
Diane Alba, Account Clerk II

**ITEM TITLE:** Determination of satisfaction of Note and program requirements and terms for the program participants of the Community Development Block Grant Special Economic Development Program.

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### **STAFF RECOMMENDATION**

Determine that note terms, agreement terms and program requirements are satisfied for the following CDBG Special Economic Development Program participant: Raul Trevino, doing business as 3 VINOS; authorize removal of the loan/grant restrictions, and authorize the City Manager or his designee to execute related documents.

### **FISCAL IMPACT**

None. This program was funded through the federal Community Development Block Grant program. Grant was originally awarded in FY 2008-09.

### **BACKGROUND**

The City Council has approved several Community Development Block Grants (CDBG) since 1998 which have fulfilled their job creation and program requirements. The program requires that one full-time equivalent position be created for each \$25,000 awarded. At the City Council Meeting on October 20, 2009, the Council approved the period of compliance required for job creation for businesses receiving grants shall be one year.

3 VINOS has reported on job creation activity for one year, the required period, and has met the job creation requirements under the grant, as determined by the Los Angeles County community Development Commission (CDC) and City staff. We therefore recommend that the loan/grant be forgiven.

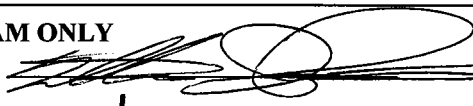

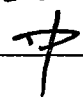
<b>Business Name</b>	<b>Amount of Loan/Grant</b>	<b>Council date of loan/grant award</b>	<b>Final date of compliance</b>	<b>Years of reporting required</b>	<b>Full-time equivalent jobs created</b>
<b>3 VINOS</b>	<b>\$100,000</b>	<b>10/07/2008</b>	<b>09/30/2010</b>	<b>1</b>	<b>4</b>

### **RELEVANCE TO THE STRATEGIC PLAN**

Providing opportunities for economic development contributes to the City strategic plan objective of enhancing financial stability.

**EXHIBITS**

None

<b>REVIEW TEAM ONLY</b>	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____




# **CITY OF COVINA**

## **AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** cc 9

**STAFF SOURCE:** Dilu de Alwis, Finance Director 

**ITEM TITLE:** Reorganization of the Information Technology Division of the Finance Department.

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### **STAFF RECOMMENDATION**

- A. Approve reorganization of the Information Technology Division (IT) of the Finance Department.
- B. Approve salary for the Information Technology Services Manager, a new position in the Information Technology Division which shall be the senior level position in the division and shall have the responsibility of ascertaining that the directives of the City Council and management are carried out as they relate to the Information Technology Division.
- C. Approve salary for the Senior IT Coordinator position (title change with no salary impact).
- D. Approve salary for the IT Coordinator position (title change with minor salary impact to one of two current staff members)
- E. Approve the elimination of the funded but vacant Information Technology Network Supervisor position.

### **FISCAL IMPACT**

The above recommended changes will result in net savings of approximately \$36,000 for the current fiscal year due to a vacancy in the IT Division. This proposal will result in an increased expenditure in the Information Technology Fund for Fiscal Year 2011/2012 of approximately \$36,000 with the cost to be allocated to the Funds/Departments utilizing the services of the Information Technology Division. There shall be no increase in the number of authorized and funded positions in the budget as a result of this proposal.

### **BACKGROUND**

The IT Division of the Finance Department currently consists of three full-time employees: one IT Manager, one Systems Coordinator, one PC Technician II and one vacant IT Network Supervisor. This proposal contemplates that the IT Division shall consist of one IT Services Manager, one Senior IT Coordinator and two IT Coordinators. At the present time, IT staff is tasked with serving approximately 250 technology users, 300 computers, 80 printers, 15 network servers, 250 voice over internet telephones and 300 plus peripheral devices. Additionally the IT staff has been assisting in new software implementation as well as maintaining existing software that has outlived its useful life.

It is important to note that there are two major software enhancement projects that the City is currently in the negotiations stage of the procurement process. These software

enhancement projects include a significant upgrade and modernization of the City's Core Financial Systems (i.e. accounting, general ledger, accounts payable, project management, payroll, etc) and the implementation of an integrated/automated permitting system. In addition to that, it is our intent to update the Microsoft Office and Microsoft Windows software tools we employ and to implement an enhanced GIS system to begin this fiscal year. These are tools that shall make us more efficient and shall provide for better internal and external customer service.

We intend to implement a training program designed to provide a smooth transition to the use of these new software tools which will require a technology savvy and experienced Information Technology Services Project Manager to lead. We shall also be seeking an information technology visionary with the experience and foresight to plan for the future needs of the city on the Information Technology front. Finally, staff has discussed the possibility of utilizing the Library computers on Mondays (when the Library is closed) to be utilized as a training center for City staff. The Information Technology Systems Manager will be tasked with ensuring that these projects are implemented successfully and shall coordinate this ongoing training. Once again, these changes will require the recruitment of an Information Technology visionary and leader who can oversee the development of new systems being implemented over time as well as to continue to seek new systems and potential external funding sources to assist in moving the City forward in this rapidly changing technology age. This change will also include evaluating the possibility of increasing the reliability of and expanding the existing Covina WiFi .

The need to evolve from a report and repair band-aid philosophy with respect to Information Technology to a visionary strategic approach to meet the challenges and future Information Technology needs of the city was discussed at our Strategic Planning session held on October 26, 2010 as part of the Internal Weakness/Challenges portion of the discussion.

Should the City Council approve this proposal we shall recruit for an experienced Information Technology Services Manager who is well versed in current technology trends, one who can seek innovative ways to fund new technology and one who can lead and motivate the existing Information Technology staff. In addition to the Information Technology Services Manager, staff is recommending changing the titles of the current Systems Analyst and PC Technician II positions to the title of Information Technology Coordinator to better suit their current job responsibilities and to conform to industry norms.

Staff recommends the salary ranges as follows;

Information Technology Services Manager: \$6,458.55 - \$8,453.38 per month (F, G & H steps included);

Senior Information Technology Coordinator: \$5,817.00 - \$7,614.37 per month (F, G & H steps included);

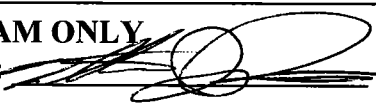


Information Technology Coordinator: \$4,289.76 - \$5,615.17 per month (F, G & H steps included).

**RELEVANCE TO STRATEGIC PLAN**

This proposal shall assist us in addressing the internal weaknesses/challenges discussed at the Strategic Planning meeting on October 26, 2010.

**EXHIBITS:**

- A) Information Technology Services Manager Job Description
- B) Senior Information Technology Coordinator Job Description
- C) Information Technology Coordinator Job Description

<b>REVIEW TEAM ONLY</b>	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

## CITY OF COVINA

### INFORMATION TECHNOLOGY SERVICES MANAGER

*Class specifications are only intended to present a descriptive summary of the range of duties and responsibilities that are associated with specified positions. Therefore, specifications **may not include all** duties performed by individuals within a classification. In addition, specifications are intended to outline the **minimum** qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.*

#### **DEFINITION:**

Under general direction of the Finance Director, manages, supervises, plans, and oversees all aspects of the City's Information Technology Division, including a variety of work activities and duties relative to the operations of all computer and telephone systems within the City. Responsible for hardware and software analysis: research, recommendations, documentation, implementation, contracts, maintenance and general support. Works with IT staff to address a wide variety of technical issues including software application, telephone equipment, email system, project management, disaster recovery planning, security protocol, and world wide web presence. Stays abreast of current and future computing and telephony needs of the City.

#### **DISTINGUISHING CHARACTERISTICS:**

The **Information Technology Manager** is the mid-management level classification responsible for overseeing all functions and operations related to the City's Information Technology Division.

#### **SUPERVISION RECEIVED/EXERCISED:**

Receives general direction from Finance Director. Exercises technical and functional supervision over IT staff and contract workers

#### **ESSENTIAL FUNCTIONS:** *(include but are not limited to the following)*

- Plans, manages and oversees all aspects of the City's Information Technology Division, including computer hardware and software to ensure the effective operation of the system and to make modifications to the system to meet the changing demands placed upon it over time.
- Establishes standards for the City's hardware and software; ensures compliance with set standards; oversees the repair and restoration of IT operation when needed; and plans for upgrade computer component upgrades and supervises their installations.
- Supervise the operation and maintenance of the City's computer and telephone equipment and supporting devices computer servers, network devices, and telephone equipment.
- Oversees the development and maintenance of the City's website; works with the IT Steering Committee to determine system needs; designs and implements new systems, software and applications.
- Forecasts necessary funds for information systems repair, upgrades and replacements; administers, oversees and prepares the IT budget; researches new equipment; monitors vendors; approves purchases and monthly invoices; works with vendors to procure new equipment and software.

## INFORMATION TECHNOLOGY MANAGER

Page 2

- Establishes positive working relationships with representatives of community organizations, state/local agencies and associations, City management and staff, and the public.
- Develop and update long and short ranged plans for Information Technology Division in conjunction with City goals and vision.
- Attend and participate in professional and department meetings as necessary; stay current on issues and improvements in the field of information technology; implement improvements as appropriate.
- Participate in the development of policies and procedures regarding Information Technology usage; recommend programs, projects, and systems to higher-level management personnel; develop standard security and back-up procedures.
- Assist in the training of City employees in the use of computers; ensure adherence to proper work methods, procedures and practices; identify and make recommendation for training opportunities and needs.
- Develop schedules and methods for performing assigned duties; maintain appropriate work records and documents including service requests; prepare statistical and/or analytical reports as necessary.
- Supervise the maintenance of a current inventory and utilization records of all the City owned and computer related equipment
- Serve as a resource to the City; manage and plan IT activities with other departments; and provide information and resources as necessary.
- Perform other related duties as required.

### **PHYSICAL, MENTAL AND ENVIRONMENTAL WORKING CONDITIONS:**

Position requires prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting, and stooping in the performance of daily activities. The position also requires grasping, repetitive hand movement and fine coordination in preparing statistical reports and data using a computer keyboard. Additionally, the position requires near and far vision in written reports and work related documents. Acute hearing is required when providing phone and personal service. The need to lift, drag and push files, paper, documents and equipment weighing more than 25 pounds also is required.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

**QUALIFICATIONS:** *(The following are minimal qualifications necessary for entry into the classification.)*

#### **Education and/or Experience:**

Any combination of education and experience that has provided the knowledge, skills and abilities necessary for an Information Technology Manager. A typical way of obtaining the required qualifications is to have the equivalent of five years directly

related progressive experience in information technology and three additional years in progressive supervisory IT experience. A Bachelor's Degree in Computer Information Systems or IT related field is required. A Master Degree in IT related field is desirable.

**License/Certificate:**

Possession of a valid class C California driver's license.  
Possession of a Bachelor's degree in Computer Information Systems.

**KNOWLEDGE/ABILITIES/SKILLS:** *(The following are a representative sample of the KAS's necessary to perform essential duties of the position.)*

**Knowledge of:**

Research, analysis, design, implementation and support for hardware and software.  
The methods and techniques of programming and systems analysis  
Principles and practices of record keeping and inventory.  
Operations and standard operating procedures of an information systems program.  
Complex principles and practices of information technology.  
Applicable Federal, State, and local laws, codes and regulations.  
Operational characteristics of computer related standard equipment.  
Methods and techniques for basic report preparation and writing.

**Ability to:**

Courteously respond to organizational issues, concerns and needs.  
Manage and oversee the operations and activities of the City computer systems.  
Analyze a complex issue and develop and implement an appropriate response.  
Analyze information requirements and develop appropriate systems.  
Seek new solutions and approaches to systems requirements.  
Perform research, recommendations and support for hardware and software requirements.  
Present new ideas and recommendations to management and staff.  
Identify and quickly respond to and solve computer system malfunctions.  
Develop instructions and conduct staff training in operation of hardware and software.  
Perform diagnostic testing to identify and remedy hardware/software malfunctions.  
Prepare and manage Information Technology Division budgets  
Prepare and maintain all systems and user documentation.  
Design and install computer and telecommunications network systems.  
Analyze and evaluate service delivery methods and standard operating procedures.  
Make adjustments to standard operating procedures as is appropriate.  
Set up disaster recovery procedures and security measures.  
Establish and maintain effective working relationships.  
Prepare clear and concise reports.

**Skill to:**

Operate a motor vehicle on City streets.  
Operate tools needed for the repair of computer hardware and software  
Operate an office computer and Microsoft Office Applications

## CITY OF COVINA

### SENIOR INFORMATION TECHNOLOGY COORDINATOR

*Class specifications are only intended to present a descriptive summary of the range of duties and responsibilities that are associated with specified positions. Therefore, specifications **may not include all** duties performed by individuals within a classification. In addition, specifications are intended to outline the **minimum** qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.*

#### DEFINITION:

Under general direction of the Information Technology (IT) Services Manager plans, coordinates and supervises the activities of IT projections; designs business solutions, identifies, evaluates and develops methods and procedures that provide effective business practices; maintains communication across the organization to ensure all projects are completed; assesses resource loads to appropriate individual assignments; performs related tasks within area of assignment; and stays abreast of current and future IT needs of the City.

#### DISTINGUISHING CHARACTERISTICS:

The **Project Manager** is the mid-management level classification responsible for planning and managing all projects related to Information Technology Division.

#### SUPERVISION RECEIVED/EXERCISED:

Receives general direction from the IT Manager. Exercises technical and functional supervision over IT staff and contract workers as related to IT projects.

#### ESSENTIAL FUNCTIONS: *(include but are not limited to the following)*

- Plans, coordinates and supervises the activities of IT projects; coordinates and monitors resource planning and project portfolios for department and citywide projects; ensures cooperation between external departments and internal IT personnel to meet project deadlines; responsible for special projects and initiatives.
- Assigns appropriate support resources for projects and enhancements; makes certain that tasks are completed within time, scope and budget; develops and supports standards, processes and procedures to ensure projects are delivered accurately by assigned personnel.
- Supervises project tasks and professional personnel; creates and maintains staffing plans to meet task demands and project deliverables; reviews completed projects to validate accuracy and completeness within project goals and IT guidelines.
- Develops and implements support policies, standards and procedures; directs project and program management process education to departments, internal IT personnel and project team.

- Develops schedules and methods for performing assigned duties; maintain appropriate work records and documents as related to IT projects attends and participates in professional group meetings.
- Serves as a resource to the City; plan and supervise IT projects with other departments; and provide information and resources as necessary.
- Establishes positive working relationships with representatives of community organizations, state/ local agencies and associations, City management and staff, and the public.
- Stays abreast on current trends and technology innovations within the field of Information Systems Technology.
- Perform other related duties as required.

**PHYSICAL, MENTAL AND ENVIRONMENTAL WORKING CONDITIONS:**

Position requires prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting, and stooping in the performance of daily activities. The position also requires grasping, repetitive hand movement and fine coordination in preparing statistical reports and data using a computer keyboard. Additionally, the position requires near and far vision in written reports and work related documents. Acute hearing is required when providing phone and personal service. The need to lift, drag and push files, paper, documents and equipment weighing more than 25 pounds also is required.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

**QUALIFICATIONS:** *(The following are minimal qualifications necessary for entry into the classification.)*

**Education and/or Experience:**

Any combination of education and experience that has provided the knowledge, skills and abilities necessary for a Project Manager. A typical way of obtaining the required qualifications is to have the equivalent of three years directly related progressive experience in information technology and two additional years in managing IT project management experience. A Bachelor's Degree in Computer Information Systems or IT related field is required. A Project Management Professional (PMP) Certificate is strongly desirable.

**License/Certificate:**

Possession of a valid class C California driver's license.

Possession of a Bachelor's degree in Computer Information Systems.



**KNOWLEDGE/ABILITIES/SKILLS:** *(The following are a representative sample of the KAS's necessary to perform essential duties of the position.)*

**Knowledge of:**

- Research, analysis, design, implementation and support for hardware and software.
- Principles, practices and methods of project management as it relates to IT systems
- Project management tools such as Microsoft project
- Project Management Body of Knowledge (PMBOK)
- Goal setting, program and budget development, work planning and organization methods
- Methods and techniques of programming and systems analysis
- Principles and practices of information technology.
- Principles of supervision, training and performance evaluation
- Principles and practices of creating business requirements
- Project plans, project schedules and associated project materials
- Pertinent Federal, State and local laws, codes and regulations
- Methods and techniques of evaluating IT project and operational performance.

**Ability to:**

- Courteously respond to organizational issues, concerns and needs.
- Support hardware and software applications;
- Understand application deployment, software development and infrastructure project lifecycles
- Supervise and manage project teams
- Initiate and present effective questions to resolve business issues
- Effectively manage time, prioritize work, multi-task and delegate assignments
- Assess the impact of new project requirements with existing workload
- Produce technical written and clear deliverables
- Plan and organize project staff
- Review and evaluate the work of professional and support staff as related to project
- Develop, implement and interpret project goals, objectives, policies, procedures
- Communicate effectively, both orally and in writing
- Establish and maintain cooperative working relationships with city employees and officials
- Prepare management and financial reports
- Analyze problems, identify alternative solutions, project consequences of proposed actions
- Implement recommendations in support of project goals
- Research, analyze and evaluate new service delivery methods and techniques.

**Skill to:**

- Operate a motor vehicle on City streets.
- Operate tools needed for the repair of computer hardware and software
- Operate an office computer and Microsoft Office Applications

## CITY OF COVINA

### INFORMATION TECHNOLOGY COORDINATOR

*Class specifications are only intended to present a descriptive summary of the range of duties and responsibilities that are associated with specified positions. Therefore, specifications may not include all duties performed by individuals within a classification. In addition, specifications are intended to outline the minimum qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.*

#### **DEFINITION:**

Under the direction of the Information Technology (IT) Services Manager, coordinates and performs a variety of work activities and duties relative to the operations of Information Technology Division within the City. Assists with hardware and software, research, analysis, recommendations, documentation, implementation, contracts, and maintenance of computer, network, and telecommunications. Stays abreast of current and future computing needs of the City.

#### **DISTINGUISHING CHARACTERISTICS:**

The **Information Technology Coordinator** is a mid-management level classification responsible for supporting and maintaining all City IT (Information Technology) operations.

#### **SUPERVISION EXERCISED:**

Receives general supervision from the Information Technology Manager but may exercise technical supervision over project staff. However, incumbents in this class do not routinely exercise supervision.

#### **ESSENTIAL FUNCTIONS:** *(include but are not limited to the following)*

- Performs technical work in the installation, testing, maintenance and administration of the City's computer networks; troubleshoots software and hardware on both servers and desktops.
- Assist with hardware and software research, analysis, recommendations, documentation, implementation, contracts, maintenance and general support; assist with project design and implementation.
- Participate in the development of policies and procedures regarding computer use; recommend programs, projects, and systems to higher-level management personnel; develop standard security and back-up procedures.
- Assist in the training of City employees in the use of computers; ensure adherence to proper work methods, procedures and practices; make recommendations to higher-level staff.
- Maintain all computer equipment, which may include installing new hardware equipment

and repairing systems; install new software and instruct users.

- Participate in project and planning meetings pertinent to IT needs; research and understand needs of the projected users; develop and implement systems to address identified needs.
- Maintain appropriate work records and documents including service requests; prepare statistical and/or analytical reports as necessary.
- Coordinate IT activities with other departments; provide information and resources as necessary.
- Attend and participate in professional and department meetings as necessary; stay current on issues and improvements in the field of information technology; implement improvements as is appropriate.
- Perform other related duties as required.

#### **PHYSICAL, MENTAL AND ENVIRONMENTAL WORKING CONDITIONS:**

Position requires prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting, and stooping in the performance of daily activities. The position also requires grasping, repetitive hand movement and fine coordination in preparing statistical reports and data using a computer keyboard. Additionally, the position requires near and far vision in written reports and work related documents. Acute hearing is required when providing phone and personal service. The need to lift, drag and push files, paper, documents and equipment weighing more than 25 pounds also is required.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

#### **QUALIFICATIONS:**

##### **Education and/or Experience:**

Any combination of education and experience that has provided the knowledge, skills and abilities necessary for an Information Technology Coordinator. A typical way of obtaining the required qualifications is to possess the equivalent of three years of directly related experience in information technology. A bachelor's degree in Computer Information Systems or a related field is required. Working knowledge of a large network environment and MCSE (Microsoft Certified Systems Engineer) certification are strongly desirable.

##### **License/Certificate:**

Possession of a valid, Class "C" California driver's license.

Possession of a Bachelor's degree in Computer Information Systems.

**KNOWLEDGE/ABILITIES/SKILLS:**

**Knowledge of:**

Computer related terminology and the concepts for research, analysis, design, implementation and support for computer hardware and software.  
Operations and standard operating procedures of an information systems program.  
Principles and practices of information technology and systems management.  
Computer networking, security, repair and maintenance.  
Applicable Federal, State, and local laws, codes and regulations.  
Operational characteristics of computer related standard equipment.  
Methods and techniques for basic report preparation and writing.

**Ability to:**

Courteously respond to organizational issues, concerns and needs.  
Coordinate the operations and activities of the information technology systems.  
Seek new solutions and approaches to systems requirements.  
Maintain and repair computer hardware, software and peripheral equipment.  
Assess and define user needs for the City's hardware and software requirements.  
Install and update application software and local area networks.  
Organize, prioritize and follow-up on work assignments.  
Work independently and as part of a team.  
Analyze issues and develop and implement an appropriate response.  
Communicate clearly and concisely, both orally and in writing.  
Identify and quickly respond to and solve complex computer system malfunctions.  
Develop instructions and conduct staff training in operation of hardware and software.  
Perform diagnostic testing to identify and remedy hardware/software malfunctions.  
Prepare and maintain all systems and user documentation.  
Design and install computer and telecommunications network systems.  
Establish and maintain effective working relationships.

**Skill to:**

Operate a motor vehicle on City streets.  
Operate tools needed for the repair of computer hardware and software  
Operate an office computer and Microsoft Office Applications

# **CITY OF COVINA**

## **AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** CC 10

**STAFF SOURCE:** Steve Henley, Director of Public Works  
Kalieh Honish, Assistant Director of Public Works  
Paul Hertz, Public Works Superintendent

SH

**ITEM TITLE:** Public Works Department Monthly Activity Report

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### **STAFF RECOMMENDATION**

Receive and file the Public Works Department Monthly Activity Report

### **FISCAL IMPACT**

This report is informational only and has no budgetary impact.

### **BACKGROUND**

Attached for the City Council's review and information are the Public Works Department's Monthly Activity Report for October.

In conjunction with the implementation of a revised Zone Maintenance Program in 2007, the Department implemented a renewed focus on Key Performance Indexing (KPI). KPI is a useful tool for developing a measurement system of organizational effectiveness by identifying activities important to the community and tracking their output over time.

During October, the following trends were noted:

- The Street Maintenance Division noted a dramatic increase in pot hole filling as maintenance crews were immediately dispatched City wide to repair failing asphalt and alleviate road hazards due to the month's numerous rain days.
- Service levels continue to be generally on par for the Building Maintenance Division.
- The Environmental Services Division saw a huge spike in the number of used oil containers distributed to the public as a result of their presence and efforts at the City's annual Thunderfest event.
- The Environmental Services Division has included the tracking of two major Key Performance Indicators for this report that were previously tracked elsewhere.

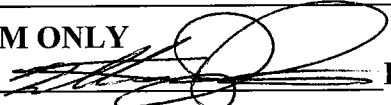


### **RELEVANCE TO THE STRATEGIC PLAN**

The Public Works Department consists of the Water Division, Streets and Sewer Division, Central Equipment Division, Building Maintenance, and Development Services which includes

Engineering, Environmental Services, Building and Safety, as well as Code Enforcement. The combined activities of each of the divisions continually strives to enhance the safety, development and infrastructure needs of the community in the most cost effective and responsive way possible. In this way, while not directly responsive to any of the currently identified objectives of the Strategic Plan the activities which are reported on herein support several of the specific Strategic Plan's Goals, as follows: Improve and promote customer service; Enhance financial stability; Become an environmentally sustainable community; and Provide efficient, visible and responsive public safety.

## EXHIBITS

### A. Public Works Department Monthly Activity Report – October 2010

<b>REVIEW TEAM ONLY</b>	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

**CITY OF COVINA**  
**PUBLIC WORKS DEPARTMENT MONTHLY ACTIVITY REPORT**  
**OCTOBER 2010**

<b>DIVISION</b>	<b>ACTIVITY</b>	<b>QUANTITY</b>
<b>Water Utility</b>	Meter reads	7,481
	Meter replacements	6
	Consumer responses	48
	Backflow tests	4
	Flushed blow-offs	36
	Service line repair/replace	1
	Main line repair/replace	2
	Fire hydrant repair/replace	3
	Isolation valves exercised	0
	Emergency call outs	4
<b>Equipment Maintenance</b>	Preventative Maintenance service	42
	Safety inspections	37
	Daily demand repairs	77
	Tire repairs	12
	Emergency call outs	15
<b>Street Maintenance</b>	Traffic sign remove/replace/install	7
	Potholes repaired	523
	Curb and gutter remove/replace (LF)	5
	Sidewalk remove/replace (SF)	100
	Curb painted (LF)	0
	Stop and Bars repainted	1
	Utility cuts repaired	0
	Trees trimmed	16
	Trees removed	2
<b>Environmental Services</b>	Emergency call outs	4
	Used oil containers distributed	172
	Compost bins distributed	17
	NPDES violations investigated	2
	NPDES Permit Inspections	8
	Waste Management consumer responses	16
	Industrial Waste Permit Inspections	54
	Plans checked for environmental compliance	9
	Environmental legislation & regulations reviewed	11
<b>Engineering Inspection</b>	Special Waste collection events promoted	4
	Utility cuts inspections	12
	Sidewalk remove/replace/install inspections	5
	Driveway approach inspections	0
	Sanitary Sewer repair/install	0
	Traffic signal system install/modifications	0
	Job site meetings	4
	Construction site NPDES BMP compliance	3
<b>Building Maintenance</b>	Street Paving / Patches	4
	Service requests completed	20
	Facility heat/air conditioning repairs	0
	Facility lighting/electrical repairs	2
<b>Special Activities of Note</b>	Emergency call outs	0
	Underground Service Alert marking responses	27
	Sink holes repaired	0
	Lineal feet of skin patching	0
	Sanitary Sewer manhole repairs	4

**CITY OF COVINA  
PUBLIC WORKS DEPARTMENT MONTHLY ACTIVITY REPORT  
OCTOBER 2010**

<b>DIVISION</b>	<b>ACTIVITY</b>	<b>QUANTITY</b>
<b>Transportation</b>	Bus passes sold	79
	Covina Transit passengers	1,567
	Metrolink Shuttle passengers	510
	Metrolink parking permits sold	721
	Municipal lots blue zone permits sold	57
	Municipal lots monthly machine revenues	\$399
<b>Code Enforcement</b>	Number of Inspections	721
	Number of signs pulled from public right-of-way	68
	Number of resolved cases	88
	Number of open cases	219
<b>Building &amp; Safety</b>	Permits issued	251
	Inspections conducted	942
	Plan checks conducted	27
	Permit valuation	\$1,794,150
<b>Sewer Maintenance</b>	Manholes inspected	496
	Linear feet of main cleaned	50,623
	Hot-spot locations cleaned	33
	Sewer overflow responses	0
	Manholes treated for vermin infestation	30
	Manholes treated for rodent infestation	0
	Routine pump station checks	31



# **CITY OF COVINA**

## **AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** CC 11

**STAFF SOURCE:** Anthony Arroyo, Human Resources Director  
Alice Greene, Senior Financial Technician

**ITEM TITLE:** Report of 2010 CalPERS Educational Forum

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**STAFF RECOMMENDATION:**

Receive and file the report of the 2010 CalPERS Educational Forum, which was attended by the Human Resources Director and Senior Financial Technician.

**FISCAL IMPACT:**

The cost to attend the 2010 CalPERS Educational Forum was budgeted in the Human Resources, Conferences and Meeting account # 1010-0800-00-53200 and Finance, Conference and Meetings account # 1010-0500-00-53210.

**BACKGROUND:**

The Human Resources Director and Senior Financial Technician attended the 2010 CalPERS Educational Forum held in Indian Wells, CA, on October 25 to October 27, 2010. The workshop focused on a variety of CalPERS topics including health insurance, retirement information, actuarial information, amendment and contract basics, and several training sessions to prepare for the new CalPERS system that will be in use in Fall 2011. Some of the sessions I attended are:

- CalPERS Supplemental Income 457 Plan
- Health Benefit Officers Wellness Seminar
- How to Prepare for my CalPERS Go Live
- Actuarial Basics
- Pre-Funding Other Post-Employment Benefits (OPEB)
- State and Federal Legislative Review
- Social Security and Preparing for Tomorrow
- Change is Coming with My CalPERS
- Managing Your Employer Health Contributions

Of significant importance was being able to meet the CalPERS personnel who have assisted the city with the recent contract amendments. In addition, city staff met key personnel who have been instrumental in assisting the city with some of the recent audit findings.

**RELEVANCE TO THE STRATEGIC PLAN:**

None.

**EXHIBITS:**

None

**REVIEW TEAM ONLY**

City Attorney: \_\_\_\_\_

Finance Director: \_\_\_\_\_

City Manager: \_\_\_\_\_

Other: \_\_\_\_\_

**CITY OF COVINA**  
**AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** CC 12

**STAFF SOURCE:** Robert Neiuber, Director of Community Development *RN*  
Nuala Gasser, Senior Redevelopment Manager

**ITEM TITLE:** Amendment to the July 1, 2009, agreement between the City of Covina and LA Works for the CDBG-R program.

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**STAFF RECOMMENDATION**

Approve Amendment No. 1 to the July 1, 2009, agreement between the City of Covina and LA Works, extending the time for program delivery to June 30, 2011, and increasing the funding to the limits of the CDBG-R grant.

**FISCAL IMPACT**

\$125,000 is budgeted for this Federally-funded program in account 2105-4750-01 for Project REC024-09, LA Works.

**BACKGROUND**

On May 27, 2009, City Council approved the allocation of CDBG-Recovery Funds for a three-year program, which provides funds to train and provide employment experience for four (4) income-qualified persons. Both the job training and job experience is in the field of Park Maintenance. The original contract funding was \$105,280. Under the amendment, the full amount of the CDBG-R grant, \$125,000, is funded for services through June 30, 2012, of which \$55,935 has been paid to LA Works through June 30, 2010. The remaining available balance through June 30, 2011 is \$69,065.

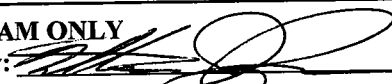
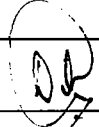

A one-year agreement was executed with LA Works to administer the program, covering the period from July 1, 2009 through June 30, 2010. The attached Amendment No. 1 to Contract, which is retroactive to July 1, 2010, provides for the continuation of this program through LA Works, for one additional year.

**RELEVANCE TO THE STRATEGIC PLAN**

Not applicable.

**EXHIBITS**

A. Amendment No. 1 to Contract between City of Covina and LA Works

<b>REVIEW TEAM ONLY</b>	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

**CITY OF COVINA**  
**AMENDMENT NO. 1 TO**  
**CONTRACT BETWEEN CITY OF COVINA AND LA WORKS**

This Amendment to Contract modifies the agreement made and entered into the first day of July 1, 2009, by and between the CITY OF COVINA, hereinafter referred to as the "Grantee", and LA WORKS, hereinafter referred to as the "Subrecipient".

Witnesseth: That the parties hereto do mutually agree as follows:

**A. Section I (A) of the Contract, "Scope of Services" is amended in its entirety to read:**  
The Subrecipient will be responsible for administering a 36<sup>th</sup> and 37<sup>th</sup> CDBG-R LA Works Program, REC024-09, retroactive from July 1, 2009 through June 30, 2011, in a manner satisfactory to the Grantee and consistent with the provisions of the Agreement with LA WORKS any standards required as a condition of providing these funds. No expenditures may be incurred until the contract has been fully executed. Section I (B) describes the eligible activities to be provided by LA WORKS under the Community Development Block Grant-Recovery program.

**B. Section I (B) of the Contract, "Scope of Services" is amended in its entirety to read:**  
The program provides daily job training and transition services as described in the LLA Works Project". The LA Works Program provides for one (1) Supervisor and two (2) crew workers to conduct the park maintenance work. Over the period of the agreement, a minimum of four workers will receive job training and job transition services for park maintenance. Operational costs are listed in the Proposed Budget.

Total limit of funding over the term of the grant is One Hundred Twenty Five Thousand Dollars (\$125,000). CDBG-R funds will be used to pay for a Crew Supervisor 1 (Step 5) salary and benefits and two (2) participants salary and benefits (FICA and Worker's Comp) for a grand total of adjusted personnel costs of One Hundred Thousand Eight Hundred Forty (\$100,840) and operational costs for LA Works to administer the program totaling Twenty Four Thousand One Hundred Sixty Dollars (\$24,160).

**C. Section I (D) of the Contract, "Scope of Services" is amended in its entirety to read:**  
In addition to the normal administrative services required as part of this Agreement, the Subrecipient agrees to provide the following levels of program services:

**Total Units for FY 2009-2011**

Job Training and Transition to four (4) CDBG income-qualified participants

**D. Section II of the Agreement, "Time of Performance" is amended in its entirety to read:**

Services of the Subrecipient shall start on the 1<sup>st</sup> day of July, 2009, and end on the 30<sup>th</sup> day of June, 2011. The term of this Agreement and the provisions herein shall be the end of the Contract/Agreement period.

**E. Section III of the Agreement, "Payment" is amended in its entirety to read:**

It is expressly agreed and understood that the total amount to be paid by the grantee under this contract shall not exceed One Hundred Twenty Five Thousand Dollars (\$125,000). Draw-downs for the payment of eligible expenses shall be made against the line item budget specified in Paragraph 1B herein and in accordance with performance. Expenses

for general administration shall also be paid against the line item budget specified in Paragraph 1B and in accordance with performance.....

- F. Section IV of the Agreement, "Notices" is amended in its entirety to read:**  
Communication and details concerning this contract shall be directed to the following contract representatives:

Robert Neiuber  
Director of Community Development  
City of Covina  
1215 E. College Street  
Covina, CA 91723  
626-384-5440  
rneiuber@covinaca.gov

Traci Rossetti-Smith  
  
LA Works  
5200 Irwindale Avenue  
Irwindale, CA 91706  
626-960-3964 x 2237  
traci.smith@laworks.org

- G. Exhibit A-1, Federal Lobbyist Form, is hereby added.**

Except as amended herein, all other terms in the Contract remain unchanged.

**AGREED BY:**

**CITY OF COVINA**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
City Manager

**LA WORKS**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Salvador R. Velasquez, Chief Executive Officer

## FEDERAL LOBBYIST CERTIFICATION

Name of Firm: \_\_\_\_\_

Address: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Telephone Number: (     ) \_\_\_\_\_

Acting on behalf of the above named firm, as its Authorized Official, I make the following Certification to the U. S. Department of Housing and Urban Development and the Community Development Commission, County of Los Angeles.

- 1) No Federal appropriated funds have been paid by or on behalf of the above named firm to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of and Federal grant, loan or cooperative agreement, and any extension, continuation, renewal, amendment, or modification thereof, and;
- 2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress an officer or employee of Congress or an employee of a Member of Congress in connection with this Federal contract, grant loan, or cooperative agreement, the above named firm shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions, and;
- 3) The above name firm shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreement) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into the transaction imposed by Section 1352 Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Authorized Official:

\_\_\_\_\_  
(Contractor/Subcontractor)

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Title)

EXHIBIT A-1

**COVINA REDEVELOPMENT AGENCY**  
**AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** cc 13

**STAFF SOURCE:** Dilu De Alwis, Finance Director *DL*

**ITEM TITLE:** Payment of Demands

---

**STAFF RECOMMENDATION:**

Approve Payment of Demands in the amount of **\$466,831.25**

**BACKGROUND:**

Attached list of warrants, demands, which are being presented for approval, for September 2010 are summarized as follows:

<u>DATE OF DEMANDS</u>	<u>DEMAND NUMBERS</u>	<u>AMOUNT</u>
<b>ACCOUNTS PAYABLE WARRANTS</b>		
September 9, 2010	6080-6084	\$18,310.47
September 16, 2010	6085-6101	\$11,114.11
September 23, 2010	6102-6121	\$352,297.72
September 30, 2010	6122-6131	\$5,743.36
September 15, 2010	Wire Transfer	\$6,000.00
September 2, 2010 (Reimburse PR Insurance)		\$6,700.04
September 16, 2010 (Reimburse PR Insurance)		\$6,606.45

**PAYROLL**

September 2, 2010	\$20,993.21
September 16, 2010	\$20,042.10
September 30, 2010	\$19,023.79

**VOIDS**

**RELEVANCE TO STRATEGIC PLAN:** Not applicable

**GRAND TOTAL:** **\$466,831.25**

**EXHIBITS:**

A. ACCOUNTS PAYABLE REGISTER

REVIEW TEAM ONLY	
City Attorney: <i>[Signature]</i>	Finance Director: <i>[Signature]</i>
City Manager: <i>[Signature]</i>	Other: _____

STATE OF CALIFORNIA        )  
  ) ss:  
COUNTY OF LOS ANGELES    )

I, Dilu De Alwis being first duly sworn, declare that I am the Finance Director of the City of Covina and have read the attached Register(s) of Audited Demands for the Covina Redevelopment Agency dated Accounts Payable for 9/09/10, 9/15/10, 9/16/10, 9/23/10, and 9/30/10; Payroll for 9/02/10, 9/16/10 and 9/30/10; know the contents thereof, and do CERTIFY as to the accuracy of the attached Demands and the availability of funds for their payment pursuant to the government Code, Section 37202.

Dilu De Alwis,  
Finance Director

Subscribed and sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_, 2010

\_\_\_\_\_



Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel	To Note
RA00006080	CRA00147	COVINA CHAMBER OF COMMERCE	09/09/10	5,500.00	MW	OH		
RA00006081	CRA00049	GEOGRAPHICS	09/09/10	981.72	MW	OH		Payee Name different in Check DB
RA00006082	CRA00056	HIMES AND HIMES INC	09/09/10	250.00	MW	OH		
RA00006083	CRA00058	ICSC	09/09/10	50.00	MW	OH		
RA00006084	CRA00675	ROMO PLANNING GROUP INC	09/09/10	11,528.75	MW	OH		
G R A N D T O T A L S:								
Total Void Machine Written				0.00			Number of Checks Processed:	0
Total Void Hand Written				0.00			Number of Checks Processed:	0
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Total Cancelled Checks				0.00			Number of Checks Processed:	0
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G R A N D T O T A L				18,310.47				

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RA00006085	CRA00543	BANK OF THE WEST	09/16/10	2,448.96	MW	OH		
RA00006086	CRA00549	BEST BEST & KRIEGER LLP	09/16/10	880.91	MW	OH		
RA00006087	CRA00035	COVINA DISPOSAL CO	09/16/10	128.86	MW	OH		
RA00006088	CRA00166	COVINA LIONS BREAKFAST CLUB	09/16/10	380.00	MW	OH		
RA00006089	CRA00128	COVINA, CITY OF	09/16/10	2,864.91	MW	OH		Payee Name different in Check DB
RA00006090	CRA00167	DEALMAKERS	09/16/10	294.00	MW	OH		
RA00006091	CRA00034	DH MAINTENANCE SERVICES	09/16/10	345.00	MW	OH		
RA00006092	CRA00027	EDISON CO	09/16/10	21.11	MW	OH		
RA00006093	CRA00052	GREENS LOCK AND SAFE	09/16/10	168.60	MW	OH		
RA00006094	CRA00650	OLIVE TREE APARTMENTS	09/16/10	350.00	MW	OH		
RA00006095	CRA00256	PETERSEN, CYNDIE	09/16/10	57.84	MW	OH		
RA00006096	CRA00437	SO CALIF GAS COMPANY	09/16/10	46.62	MW	OH		
RA00006097	CRA00005	STAPLES INC	09/16/10	60.27	MW	OH		
RA00006098	CRA00134	TERRILL PUBLICATIONS	09/16/10	1,290.00	MW	OH		
RA00006099	CRA00273	UNITED SITE SERVICES OF CA	09/16/10	174.15	MW	OH		Payee Name different in Check DB
RA00006100	CRA00642	XO COMMUNICATIONS	09/16/10	402.88	MW	OH		
RA00006101	CRA00125	YWCA WINGS SHELTER	09/16/10	1,200.00	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
=====							
G R A N D T O T A L S:							
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Total Reversals				0.00		Number of Checks Processed:	0
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RA00006104	CRA00129	COVINA WATER & REFUSE, CITY OF	09/23/10	245.72	MW	OH		Payee Name different in Check DB
RA00006105	CRA00128	COVINA, CITY OF	09/23/10	3,345.00	MW	OH		Payee Name different in Check DB
RA00006106	CRA00677	KAOS RECORDS	09/23/10	13,500.00	MW	OH		
RA00006107	CRA00681	LE PETIT SALON	09/23/10	30,000.00	MW	OH		
RA00006108	CRA00681	LE PETIT SALON	09/23/10	30,000.00	MW	OH		
RA00006109	CRA00070	LEWIS OPERATING CORP	09/23/10	10,603.00	MW	OH		
RA00006110	CRA00603	LOOPNET	09/23/10	2,860.80	MW	OH		
RA00006111	CRA00518	OVERLAND PACIFIC & CUTLER INC	09/23/10	10,000.00	MW	OH		Payee Name different in Check DB
RA00006112	CRA00672	PAULSEN, DANIEL	09/23/10	8,500.00	MW	OH		
RA00006113	CRA00678	PRIVATE BEACH TANNING	09/23/10	48,750.00	MW	OH		
RA00006114	CRA00678	PRIVATE BEACH TANNING	09/23/10	48,750.00	MW	OH		
RA00006115	CRA00595	REGINA COLLINS	09/23/10	1,500.00	MW	OH		Payee Name different in Check DB
RA00006116	CRA00680	SALON CIELO	09/23/10	35,000.00	MW	OH		
RA00006117	CRA00680	SALON CIELO	09/23/10	35,000.00	MW	OH		
RA00006118	CRA00679	SHEER PLEASURE	09/23/10	29,500.00	MW	OH		
RA00006119	CRA00676	SIGN A RAMA COVINA	09/23/10	134.99	MW	OH		
RA00006120	CRA00116	US BANK	09/23/10	12,206.34	MW	OH		
RA00006121	CRA00212	VERIZON CALIFORNIA	09/23/10	68.54	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
=====							
G R A N D   T O T A L S:							
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Total EFTs				0.00	Number of EFTs Processed:		0
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G R A N D   T O T A L				352,297.72			

CITY OF COVINA		09/30/10	C H E C K   R E G I S T E R		CHECK REGISTER		Page 1
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RA00006125	CRA00027	EDISON CO	09/30/10	320.84	MW	OH	
RA00006126	CRA00027	EDISON CO	09/30/10	47.72	MW	OH	
RA00006127	CRA00049	GEOGRAPHICS	09/30/10	419.25	MW	OH	Payee Name different in Check DB
RA00006128	CRA00192	NETUBER, ROBERT	09/30/10	40.00	MW	OH	
RA00006129	CRA00650	OLIVE TREE APARTMENTS	09/30/10	700.00	MW	OH	
RA00006130	CRA00682	PROSE GRANTWRITING	09/30/10	1,800.00	MW	OH	
RA00006131	CRA00273	UNITED SITE SERVICES OF CA IN	09/30/10	105.52	MW	OH	Payee Name different in Check DB
G R A N D   T O T A L S:							
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G R A N D   T O T A L				5,743.36			

**CITY OF COVINA**  
125 East College Street  
Covina, California 91723

**STATEMENT**

**WIRE TRANSFER**

To: Wells Fargo Bank, NA  
350 W. Colorado Blvd.  
Suite 390  
Pasadena, CA 91105  
Acct. # 7090535480 (checking)  
ABA # 121000248  
Acct. Name: Adaya Asset Edna Place, LP

Date: 9-2-10

Quantity	Description	Amount
9-2-10	Agreement between the Covina Redevelopment Agency and Adaya Asset, Edna Pl. to establish a specific, limited period of time for the Covina Valley Unified School District and the Adaya Asset to negotiate regarding a future agreement between them regarding leasing by the District at 850 E. Edna Pl. Approved by the Agency Board on August 17, 2010.	\$6,000
	<b>Total</b>	<b>\$6,000</b>
	Fiscal Year 2010 - 2011	

Relocation Account No. 5031-4450-00-53720

Signed  
Title



# **COVINA REDEVELOPMENT AGENCY**

## **AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** CC 14

**STAFF SOURCE:** Robert Neiuber, Director of Community Development *RN*  
Lisa Brancheau, Redevelopment Manager

**ITEM TITLE:** Award Professional Services Agreement contract to Willdan Engineering for an amount not to exceed \$15,000 for construction management and inspection services for Olson Citrus Walk at-grade demolition

---

### **STAFF RECOMMENDATION**

Award Professional Services Agreement contract to Willdan Engineering for an amount not to exceed \$15,000 for construction management and inspection services for Olson Citrus Walk at grade demolition and authorize Executive Director to execute agreement.

### **FISCAL IMPACT**

There is no impact to the General Fund. A total of \$60,000 was approved by the Agency Board at its regularly scheduled meeting of September 21, 2010 to be obligated for preparation of Request for Proposals (RFP) and bid documents for at-grade demolition of the project site (Olson Project Consultant Account No. 5031-4450-00-53710). The Executive Director executed a Professional Services Agreement in the amount of \$24,995 with selected consultant, Willdan Engineering.

At this time, Agency Staff request that a contract in the amount of \$15,000 be executed with Willdan Engineering for construction management of at-grade demolition. Should the Agency Board approve another professional services request that is agendized for pre-demolition abatement oversight in the amount of \$10,000 this evening, there will be a balance of \$10,005 in the account to be used for any additional demolition plans, specifications and engineering (PS&E) costs that may be required during the demolition phase.

### **BACKGROUND**

Willdan Engineering has prepared plans and specifications for at-grade demolition of the Olson project site and as of the date of this report, plans to have them ready for the Agency to go to bid on November 9<sup>th</sup>. The opening of the bids is scheduled to take place on November 29<sup>th</sup>. Staff intends to bring an award of contract for at-grade demolition to the Agency Board on December 7<sup>th</sup> and anticipates demolition work to commence by the beginning of the new year. This anticipated schedule for at-grade demolition will only move forward if all tenants that are currently located within the project site have vacated the site.




### **RELEVANCE TO STRATEGIC PLAN**

The Olson Citrus Walk Project is in keeping with the Strategic Plan Goal to Enhance Financial Stability. This will occur within the downtown corridor.



**EXHIBITS**

**A. Construction Management Cost Proposal**

<b>REVIEW TEAM ONLY</b>	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

October 25, 2010

Ms. Lisa Brancheau  
Redevelopment Manager  
**City of Covina**  
**Redevelopment Agency**  
125 East College Street  
Covina, CA 91723

**Subject: At-Grade Demolition of the Olson Citrus Walk Project Site  
Construction Management and Inspection Services**

Dear Ms Brancheau:

Willdan appreciates the opportunity to submit this proposal to provide Professional Engineering Services to assist the City of Covina Redevelopment Agency (Agency) with the construction management, and construction inspection of the at-grade demolition of the Olson Citrus Walk Project site. This proposal is based on our understanding of the project established during meetings held with you on July 28, October 6, and October 14, 2010 and as described in the Project Understanding below. The following is a brief outline of our recommended scope of work, project schedule, and fee to complete the objectives of the project.

## **PROJECT UNDERSTANDING**

In general, Willdan will provide construction management, and construction inspection services necessary to demolish existing buildings, parking lots, and pavement to the natural ground level on the Olson Citrus Walk Project site. This will include coordinating the shut down and isolation of all underground utility lines on site, both wet and dry, by their perspective owning agencies but will not include their removal. The limits of work are defined as Vesting Tentative Tract Map No. 71264, in the City of Covina, County of Los Angeles, State of California.

## **SCOPE OF WORK**

### **Task 1 - Construction Management and Inspection**

Willdan will provide construction management and inspection services throughout the duration of the construction beginning with the pre-construction meeting and ending with the project close out and As-Builts. Construction is anticipated to occur over the period of approximately one month - or 22 working days. During this period, Willdan will provide a construction manager/inspector half time to provide inspection services, host construction meetings, track daily field reports, coordinate with utility companies, and process construction documents, including but not limited to clarifications, requested information (RFI), deviations (RFD), submittals, emails, telephone and field conversations.

## SCHEDULE

The following schedule represents milestone points throughout the project:

Description	Begin Date	Completion Date
1. Bid	11/29/2010	
2. Board Approval	12/07/2010	
3. Bonds, Insurance Certificates, Signed Contract	12/8/2010	12/20/2010
4. Award Contract	12/21/2010	
5. Mobilization	12/21/2010	12/27/2010
6. Construction	12/27/2010	01/26/2010
7. Close-out	01/26/2010	02/09/2010

## FEE

Willdan's proposes to provide the required engineering design and construction management services on a Time and Materials (T&M) basis for a Not-To-Exceed (NTE) fee of \$15,000. How we arrived at our NTE is detailed in the Fee Table that follows.

### Fee Table:

	Director QA/QC	Assoc	Senior Design	Senior Const Manager	Utility Coord		
WILLDAN	Thom B Ken T	Jake H Rex M	Sheila M	Tom L	Ed Cox	Hrs	Task Total
	\$180	\$135	\$130	\$115	\$125		
<b>Task 1 - Construction Period</b>							
1. Daily Inspections (Assume 4hrs - 22 Days)	10			88		98	\$ 11,920
2. Engineering During Construction		2				2	\$ 270
3. Respond to RFI (Assume 4)		2				2	\$ 270
4. Construction Red-Lines			2	6		8	\$ 950
5. Close Out and As-Built		2	4			6	\$ 790
6. Reimbursable Expenses (As-Builts)							\$ 800
<b>Task 5 - Subtotal</b>	<b>10</b>	<b>6</b>	<b>6</b>	<b>94</b>	<b>0</b>	<b>116</b>	<b>\$ 15,000</b>
						<b>TOTAL</b>	<b>\$ 15,000</b>

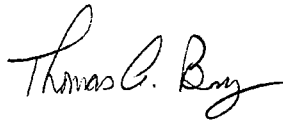
## ASSUMPTIONS

It is assumed that:

- The Agency will provide legal descriptions and the physical locations of the project limits for the Contractor to stake
- There will be 8 construction period RFI's
- Construction management and inspection will require 4 hours per day during construction for a total of 22 days or essentially one calendar month
- Willdan will coordinate the utility companies and their respective agents and the Agency will contact each company to disconnect service to each building prior to demolition.
- The Agency has completed all necessary environmental clearances to support this project

We look forward to discussing our proposal with you. Should you have any questions regarding this proposal, please contact me at (714) 978-8251 or by email at [tbroz@willdan.com](mailto:tbroz@willdan.com).

Respectfully submitted,



Thomas Broz, PE, SE, F. ASCE  
Director  
Program & Construction Management Services



Kenneth Taylor, P.E.  
Director  
Design Engineering Services

# **COVINA REDEVELOPMENT AGENCY**

## **AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** CC 15

**STAFF SOURCE:** Robert Neiuber, Deputy Executive Director  
Lisa Brancheau, Redevelopment Manager

**ITEM TITLE:** Approve Resolution for appropriation of additional funds for Plans Specifications and Engineering (PS&E) and construction of the Heritage Plaza Project and authorize Executive Director to execute corresponding Professional Services Agreement Contracts

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### **AGENCY RECOMMENDATION**

Adopt **Resolution No. 10-644** of the Covina Redevelopment Agency to amend the Fiscal Year 2010 – 2011 Covina Redevelopment Agency budget to reflect an appropriation of \$1,300,000 from Project Area Two, Public Purpose Bond Undesignated funds to complete improvements at Heritage Plaza (formerly named Civic Center Park) and authorize Executive Director to execute corresponding Professional Services Agreement Contracts.

### **FISCAL IMPACT**

There is no fiscal impact to the General Fund. The recommended action will appropriate \$1,300,000 from Project Area Two, Public Purpose Bond, Undesignated funds (5022-0000-00-33000) to Heritage Plaza Project P-1011(5022-4650-00-55200) for costs relating to PS&E, construction management, and construction of the capital improvements.

### **BACKGROUND**

On April 20, 2010 The Agency Board approved an appropriation of \$1 million Project Area Two Public Purpose Bond, Undesignated funds to be used for design, engineering, construction management, and hard construction costs. Since that time, Agency staff has met with and received feedback from the project architect and engineer as to the potential costs to deliver the project as currently designed. The plans and cost estimates are better defined and indicate a higher amount to design and construct restroom facilities and those portions of the project that contain concrete elements. The estimated cost of the project, based on these meetings and further research indicates a need to request that the Agency Board obligate an additional \$300,000 to the project. Staff also requests that the Agency Board authorize the Executive Director to execute all contracts for professional services for this project. When construction bids are received for the project, Agency staff will present the Agency board with an award of contract request for the lowest responsive responsible bidder.

### **RELEVANCE TO STRATEGIC PLAN**

Improving the current Civic Center Park to create Heritage Plaza is in keeping with the Strategic Plan Goal #2 to Enhancing Parks & Recreation Services through the deliverance of Heritage Plaza.

### **EXHIBITS**

A. Resolution No. 10-644

**REVIEW TEAM ONLY**

City Attorney:

City Manager:

Finance Director:

Other:

RESOLUTION NO. 10-644

A RESOLUTION OF THE COVINA REDEVELOPMENT AGENCY, TO AMEND THE FISCAL YEAR 2010-2011 COVINA REDEVELOPMENT AGENCY BUDGET TO REFLECT AN APPROPRIATION OF \$1,300,00.00 FROM PROJECT AREA TWO, PUBLIC PURPOSE BOND, UNDESIGNATED FUNDS TO COMPLETE CAPITAL IMPROVEMENTS AT HERITAGE PARK AND AUTHORIZE EXECUTIVE DIRECTOR TO EXECUTE CORRESPONDING PROFESSIONAL SERVICES AGREEMENT CONTRACTS

WHEREAS, the Covina Redevelopment Agency (Agency) is engaged in activities necessary to execute and implement the Redevelopment Plan for Redevelopment Project Area Number Two; and

WHEREAS, the budget for the Covina Redevelopment Agency for fiscal year commencing July 1, 2010 and ending June 30, 2011 was approved on June 15, 2010; and

WHEREAS, the approved budget is in accordance with all applicable ordinances of the City and all applicable statutes of the State; and

WHEREAS, the reallocation of the appropriations between departmental activities may be made by the City Manager, amendments (increases/decreases) to the Budget shall be by approval and Resolution of the Agency; and

WHEREAS, the Covina Redevelopment Agency wishes to improve the infrastructure of Civic Center Park incorporate sustainable strategies in the park and help to achieve Agency goals and City of Covina Strategic Plan goals.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Redevelopment Agency of the City of Covina, as follows:

SECTION 1. Amend the fiscal year 2009-2010 Covina Redevelopment Agency operating budget as follows: \$300,000 from Project Area Two, Public Purpose Bond, Undesignated funds (5022-0000-00-33000) to Project P-1011 Civic Center Park Improvement (5022-4650-00-55200) for Plans Specifications and engineering, construction management, and construction of the Heritage Plaza capital improvements.

SECTION 2. The Agency Secretary shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 16<sup>th</sup> day of November 2010.

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Chairperson

ATTEST:

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Agency Secretary

APPROVED AS TO FORM;

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Agency Counsel



## **COVINA REDEVELOPMENT AGENCY**

### **AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** CC 16

**STAFF SOURCE:** Robert Neiuber, Director of Community Development *RN*  
Lisa Brancheau, Redevelopment Manager

**ITEM TITLE:** Award Professional Services Agreement contract to SCS Engineers for oversight during pre-demolition abatement for an amount not to exceed \$10,000

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#### **STAFF RECOMMENDATION**

Award Professional Services Agreement contract to SCS Engineers for oversight during pre-demolition abatement for an amount not to exceed \$10,000 and authorize Executive Director to execute agreement.

#### **FISCAL IMPACT**

There is no impact to the General Fund. A total of \$60,000 was approved by the Agency Board at its regularly scheduled meeting of September 21, 2010 to be obligated for preparation of Request for Proposals (RFP) and bid documents for at-grade demolition of the project site (Olson Project Consultant Account No. 5031-4450-00-53710). The Executive Director executed a Professional Services Agreement in the amount of \$24,995 with selected consultant, Willdan Engineering.

At this time, Agency Staff request that a contract in the amount of \$10,000 be executed with SCS Engineers for oversight during pre-demolition abatement work to take place on the Olson Citrus Walk Project site. Should the Agency Board approve another professional services request that is agendized for construction management in the amount of \$15,000 this evening, there will be a balance of \$10,005 in the account to be used for any additional demolition plans, specifications and engineering (PS&E) costs that may be required during the demolition phase.

#### **BACKGROUND**


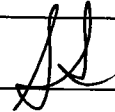

SCS Engineers provided asbestos and lead base paint testing services for the buildings on the Olson project site. The firm prepared a report identifying areas where these items were found as well as a suggested method of abatement. The report will be included in the bid documents that will be furnished to those who bid on the at-grade demolition to take place.

Staff requests that the Agency Board approve a request to enter into a contract with SCS Engineering for oversight during abatement of the asbestos and lead base paint that have been identified on the site. SCS is familiar with the site and the extent of the areas that must be abated as they conducted the initial sampling of materials to be tested. Should the schedule for demolition progress as planned and all tenants have vacated the project site, pre-demolition abatement is expected to take place by the beginning of the new year.

**RELEVANCE TO STRATEGIC PLAN**

The Olson Citrus Walk Project is in keeping with the Strategic Plan Goal to Enhance Financial Stability. This will occur within the downtown corridor.

**EXHIBITS****A. Abatement Oversight Cost Proposal**

<b>REVIEW TEAM ONLY</b>	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

## SCS ENGINEERS

November 3, 2010  
Proposal No. 010646210R2

**Via Email ([lbrancheau@covina.ca.gov](mailto:lbrancheau@covina.ca.gov)) and US Mail**

Ms. Lisa Brancheau  
Redevelopment Manager  
Covina Redevelopment Agency  
125 East College Street  
Covina, Ca. 91723  
(626) 384-5441

**Subject: Proposal for Asbestos Abatement Oversight, 116 and 120 East School Street, 115 and 125 East Italia Street, and 312, 316, and 322-332 North Citrus Avenue, Covina, California**

Dear Lisa:

This letter serves as SCS Engineers' (SCS) revised proposal to perform asbestos abatement oversight at the above-referenced properties. The scope of this project includes coordinating a bid walk with abatement contractors, oversight during abatement of Asbestos-Containing Materials (ACMs), air sampling during and following ACM removal, and preparation of final reports describing project activities. ACMs were identified during an inspection performed by SCS on October 15 and 18, 2010 (report dated November 2, 2010). Identified ACMs consist of:

116 East School Street -

- Roofing (restaurant building)
- Roof coating (corrugated metal building)
- Transite flue pipe (restaurant building)

125 East Italia Street -

- Roofing mastic

312 North Citrus Avenue -

- Vinyl floor tile (VFT)
- VFT mastic
- Roofing mastic
- Transite flue pipe

316 North Citrus Avenue -

- VFT
- Roofing mastic
- Silver paint

322-332 North Citrus Avenue -

- Sprayed-on Acoustical Material (SAM)
- VFT
- Mastic/sealant
- Roofing mastic
- Transite flue pipe

Abatement observation and air monitoring will be performed by SCS personnel who are Cal-OSHA certified asbestos consultants (C.A.C.).

Proposed site activities include contractor bid walk, oversight and documentation of contractor performance during abatement activities as well as air sampling (area and clearance) performed during and following abatement work. Air samples will be collected utilizing low and/or high volume air sampling pumps. Collected air samples will be analyzed by an accredited laboratory via phase contrast microscopy (PCM) techniques to determine airborne fiber concentrations.

Each day of inspection will include the following:

- Air sampling (maximum of 5 air samples per day)
- Transportation of air samples to the laboratory
- Interpretation of analytical results
- Observation of ACM removal activities
- Preparation of daily observation reports
- Interpretation of air sample analysis results
- Travel time and mileage

During abatement of ACMs, SCS will prepare daily reports of observations and document any comments or instructions given to the abatement contractor. If situations are observed that warrant work stoppage, SCS will contact a Client representative and make appropriate recommendations. Situations, which would warrant such action, include excessive (e.g., visible) airborne fiber concentrations, significant health and safety violations by the contractor and/or lack of compliance with federal, state, or local regulations with respect to asbestos abatement activities.

Abatement completion letter reports will be submitted to the Client after abatement contractor submittals (e.g., notification, copies of manifests, etc.) have been received by SCS. The final reports will include the following:

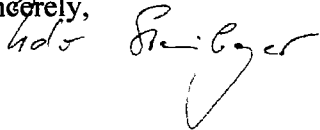
- Air monitoring results
- Daily inspection reports
- Waste disposal manifests

The total estimated cost to provide the above-described services for asbestos abatement oversight is based on ten (10) days of abatement. The tasks and estimate costs for this effort are summarized in Enclosure 1, and will not exceed \$10,000 without prior approval of the client. This project will be conducted on a time-and-materials basis in accordance with our current fee schedule.

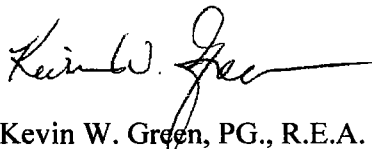
If our proposal meets with your approval, please forward the appropriate contractual documents to our office to authorize the project. This proposal is valid for a period of 30 days from the date of submittal.

Should you have any questions regarding our proposal, please direct them to the undersigned.

Sincerely,



Udo G. Steinberger, P.E., C.A.C.  
Project Manager  
(CAC 98-2491)



Kevin W. Green, PG., R.E.A.  
Vice President  
**SCS ENGINEERS**

Enclosure - Cost Estimate

**ENCLOSURE 1**

**COST ESTIMATE FOR ACM ABATEMENT OVERSIGHT  
116 and 120 EAST SCHOOL STREET, 115 AND 116 EAST ITALIA STREET,  
AND 312, 316, AND 322-332 NORTH CITRUS AVENUE, COVINA, CA**

**ABATEMENT, OVERSIGHT, AND REPORTING**

SCS will coordinate an asbestos abatement contractor bid walk, monitor abatement activities, and collect a maximum of 5 air samples per day during and after abatement. These samples will be collected during ACM removal activities in order to monitor airborne fiber concentrations inside the structure. A report of activities, observations, daily logs, air samples analyses, and waste manifests will be submitted to Client two weeks after final abatement contractor submittals have been received by SCS. An estimated daily rate of \$825 (includes staff, equipment, air sampling, misc.) plus \$2,000 for the final reports (abatement completion letters) will be invoiced at the completion of the project.

• Daily Rate of <del>\$750</del> <sup>\$650 L.B.</sup> .....	\$	650
• Air Monitoring (5 air samples per day at \$15 per sample) .....	\$	<u>75</u>
• Total (per day) .....	\$	725

For an anticipated project duration of 10 working days.....\$ 7,250

• Contractor Bid Walk: .....	\$	650
• Final Reports, Project Administration and Management:.....	\$	<u>2,100</u>

**Total anticipated project cost: ..... \$10,000**

(Note: Additional working days will be invoiced at \$650 per day plus air-sampling cost)

**CITY OF COVINA &  
COVINA REDEVELOPMENT AGENCY  
AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** CC 17

**STAFF SOURCE:** Robert Neiuber, Director of Community Development  
Lisa Brancheau, Redevelopment Manager

**ITEM TITLE:** City Vehicle Parking District Sale of East Italia Street North Municipal Parking Lot to the Covina Redevelopment Agency for Olson Citrus Walk Project

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**STAFF RECOMMENDATION**

Adopt **Resolution No. 10-6907** of the City of Covina and **Resolution No. 10-643** of the Covina Redevelopment Agency approving the sale of real property by City Vehicle Parking District to the Covina Redevelopment Agency pursuant to that certain disposition and development agreement with Olson Land Projects LLC and authorize the Executive Director to execute said purchase agreement.

**FISCAL IMPACT**

Municipal Parking District Fund Revenues will increase by \$375,000 over a 10-year period (\$37,500 per Fiscal Year beginning FY 2010-11 through FY 2019-2020). Funds will be transferred, annually, from The Covina Redevelopment Agency Land Acquisition Expenditure Account No. 5031-4450-00-55010 to General Fund Parking District Revenue Account No. 2600-2800-00-48650.

**BACKGROUND**

The municipal parking lot at 147 E. Italia Street exists within the Olson Citrus Walk Project site. The Redevelopment Agency requests of the Agency Board and Vehicle Parking District that it be acquired by the Agency for disposition to the Olson Company for the Olson Citrus Walk project. Staff presented the plan for purchase and General Plan Consistency Findings to the Planning Commission on October 26, 2010 for their concurrence. The Commission found that the plan for purchase of the property met General Consistency Plan findings and that an ample amount of parking would still exist even with the removal of the parking lot. The Planning Commission recommended approval to the City Council.

The sale and purchase also satisfies the requirements of Parking District law. Pursuant to Streets and Highway Code Section 31850, "The legislative body [of a Vehicle Parking District] may sell or lease any property acquired for parking places which is not needed for that public use." Between the recently-constructed Metrolink Parking Structure and Downtown Parking Structure, the City has made available 780 spaces for public parking, which are more than adequate to address present and future downtown parking needs. As such, the municipal parking lot proposed to be sold by the District to the Agency is no longer needed to meet the public parking needs of the City. The District continues to operate several other parking lots and improvements

throughout Covina and will remain a valuable mechanism to provide public parking within the City.

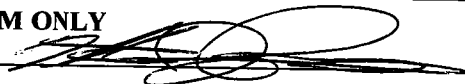
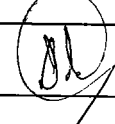

Purchase of the parking lot from the District will result in additional yearly revenues for the District and spreading payment over a 10-year period will enable the Agency to utilize land proceed funds that are generated monthly from rent the Agency receives and/or from potential sale of Agency land.

#### **RELEVANCE TO STRATEGIC PLAN**

Purchasing the Vehicle Parking District property for the Olson Citrus Walk Project is in keeping with the Strategic Plan Goal to Enhance Financial Stability. This will occur within the Downtown corridor.

#### **EXHIBITS**

- A. Resolution No. **10-6907**
- B. Resolution No. **10-643**
- C. Planning Commission staff report with 65402 findings, October 26, 2010

<b>REVIEW TEAM ONLY</b>	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____



**RESOLUTION NO. 10-6907**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
COVINA, ACTING AS THE LEGISLATIVE BODY OF THE  
CITY OF COVINA VEHICLE PARKING DISTRICT,  
APPROVING THE SALE OF REAL PROPERTY BY SAID  
DISTRICT TO THE COVINA REDEVELOPMENT AGENCY  
TO IMPLEMENT THAT CERTAIN DISPOSITION AND  
DEVELOPMENT AGREEMENT WITH OLSON LAND  
PROJECTS LLC AND AUTHORIZING THE CITY  
MANAGER TO EXECUTE SAID SALE AND PURCHASE  
AGREEMENT SUBJECT TO FINAL NEGOTIATION BY THE  
CITY ATTORNEY**

**WHEREAS**, The City of Covina's Vehicle Parking District ("District") owns real property ("Property") located at 147 E. Italia Street City of Covina, County of Los Angeles, State of California (Assessor Parcel Numbers 8430-027-903, 8430-027-904, 8430-027-905); and

**WHEREAS**, District has appraised the Property and based upon such appraisal an Agreement will be prepared to sell the Property to the Covina Redevelopment Agency ("Agency") pursuant to the terms of the Agreement; and

**WHEREAS**, the proposed Agreement contains all the provisions, terms, conditions, and obligations required by state and local law; and

**WHEREAS**, Agency and Olson Land Projects LLC entered into that certain Disposition and Development Agreement, dated May 18, 2010, wherein the Agency agreed to convey the Citrus Walk project site properties to Olson Land Projects LLC for Olson development of a mixed use development with 49 units for-sale townhome housing; and

**WHEREAS**, District now desires to sell the Property to the Agency for future disposition to Olson Land Project LLC; and

**WHEREAS**, pursuant to Government Code Section 65402, the City Planning Commission during its meeting of October 26, 2010 determined that the sale of the Property by the District to the Agency is in conformance with the City's General Plan; and

**WHEREAS**, California Streets and Highway Code, Section 31850 states as follows: "The legislative body [of a vehicle parking district] may sell or lease any property acquired for parking places which is not needed for that public use."; and

**WHEREAS**, the City Council is the legislative body of the District; and

**WHEREAS**, between the recently-constructed Metrolink Parking Structure and Downtown Parking Structure, the City Council hereby finds that the City has made available 780 spaces for public parking, which are more than adequate to address present and future downtown parking needs.

As such, the Property is no longer needed by the District to meet the public parking needs of Covina. The District continues to operate several other parking lots and improvements throughout Covina and will remain a valuable mechanism to provide public parking within the City.

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, BE IT RESOLVED** by the CITY COUNCIL, acting as the legislative body of the District, as follows:

**Section 1. Recitals.** The Recitals set forth above are true and correct and incorporated herein.

**Section 2. Revenue Increase.** Increase FY 2010-11 Municipal Parking District revenue account 2600-2800-00-49700 by \$37,500.

**Section 3. Agreement Approval.** The District authorizes the City Manager to execute the Agreement, subject to final negotiation by the City Attorney.

**Section 4. Agreement Implementation.** The District hereby authorizes and directs the City Manager to take any action and execute any documents necessary to implement the Agreement.

**Section 5. CEQA.** The District determines that approval of the Agreement is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Sections 15332 in that the project can be characterized as an in-fill development meeting the conditions set forth in Section 15332 of the CEQA State Guidelines, and that no subsequent or supplemental environmental review is necessary.

**Section 6. Effective Date.** This Resolution shall take effect immediately upon its adoption.

**Section 7. Certification.** The City Clerk shall certify to the passage and adoption of this Resolution and the same shall thereupon take effect and be in force immediately upon its adoption.

**APPROVED AND ADOPTED** this 16th day of November, 2010.

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Best Best & Krieger LLP  
City Attorney

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I, \_\_\_\_\_, City Clerk of the City Council of the City of Covina, California, do hereby certify that the foregoing Resolution No. 10-6907 was duly and regularly passed and adopted by the City of Covina at a meeting thereof held on the 16th day of November, 2010, and that the foregoing is a full, true and correct copy of said Resolution.

\_\_\_\_\_  
City Clerk

**RESOLUTION NO. 10-643**

**A RESOLUTION OF THE BOARD OF THE CITY OF  
COVINA REDEVELOPMENT AGENCY APPROVING THE  
AGENCY'S PURCHASE OF REAL PROPERTY FROM THE  
CITY OF COVINA VEHICLE PARKING DISTRICT TO  
IMPLEMENT THAT CERTAIN DISPOSITION AND  
DEVELOPMENT AGREEMENT WITH OLSON LAND  
PROJECTS LLC AND AUTHORIZING THE EXECUTIVE  
DIRECTOR TO EXECUTE SAID SALE AND PURCHASE  
AGREEMENT SUBJECT TO FINAL NEGOTIATION BY  
AGENCY COUNSEL**

**WHEREAS**, the Covina Redevelopment Agency ("Agency") approved and adopted a redevelopment plan ("Redevelopment Plan") for a redevelopment project area known as the Project Area No. 2 ("Project Area") as adopted by Ordinance; and

**WHEREAS**, the Agency is engaged in activities to execute and implement the Redevelopment Plan for the Project Area pursuant to the provisions of the California Community Redevelopment Law (Health and Safety Code § 33000, et seq.) ("CRL"); and

**WHEREAS**, the City of Covina's Vehicle Parking District ("District") owns real property ("Property") located at 147 E. Italia Street City of Covina, County of Los Angeles, State of California (Assessor Parcel Numbers 8430-027-903, 8430-027-904, 8430-027-905); and

**WHEREAS**, Agency has appraised the Property and based upon such appraisal an Agreement will be prepared to purchase the Property from the District pursuant to the terms of the Agreement;

**WHEREAS**, the proposed Agreement will contain all the provisions, terms, conditions, and obligations required by state and local law;

**WHEREAS**, Agency and Olson Land Projects LLC entered into that certain Disposition and Development Agreement, dated May 18, 2010, wherein the Agency agreed to convey the Citrus Walk project site properties to Olson Land Projects LLC for Olson development of a mixed use development with 49 units for-sale townhome housing; and

**WHEREAS**, Agency desires to purchase the Property from the District for future disposition to Olson Land Project LLC; and

**WHEREAS**, pursuant to Government Code Section 65402, the City Planning Commission has determined that the purchase of the Property by the Agency and from the District is in conformance with the City's General Plan; and

**WHEREAS**, the Agreement will implement the goals and objectives of the Agency and the City for the development of the Project Area, which will benefit the economic development needs of

the City and assist the Agency in eliminating blight and developing workforce housing as set forth in the Redevelopment Plan and CRL; and

**WHEREAS**, the Agency has determined that implementation of the Agreement: (i) is in the best interest of the City, the Agency and the health, safety and welfare of the City's taxpayers and residents and is in accordance with the public purposes set forth in the Redevelopment Plan and CRL; (ii) strengthens the City's land use and social structure; and (iii) alleviates economic and physical blight in the City while increasing the supply of workforce housing; and

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, BE IT RESOLVED** by the Agency Board as follows:

**Section 1.**     **Recitals.** The Recitals set forth above are true and correct and incorporated herein.

**Section 2.**     **Budget Increase & Transfer of funds.** Amend FY 2010-11 Covina Redevelopment Agency operating budget as follows: transfer \$37,500 from Account No. 5031-0000-00-33000 to Account No. 5031-4450-00-55010.

**Section 3.**     **Agreement Approval.** The Agency authorizes the Executive Director to execute the Agreement, subject to final negotiation by Agency Counsel.

**Section 4.**     **Agreement Implementation.** The Agency hereby authorizes and directs the Executive Director to take any action and execute any documents necessary to implement the Agreement.

**Section 5.**     **CEQA.** The Agency determines that approval of the Agreement is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Sections 15332 in that the project can be characterized as an in-fill development meeting the conditions set forth in Section 15332 of the CEQA State Guidelines, and that no subsequent or supplemental environmental review is necessary.

**Section 6.**     **Effective Date.** This Resolution shall take effect immediately upon its adoption.

**Section 7.**     **Certification.** The Agency Secretary shall certify to the passage and adoption of this Resolution and the same shall thereupon take effect and be in force immediately upon its adoption.

**APPROVED AND ADOPTED** this 16th day of November, 2010.

\_\_\_\_\_  
CHAIR

**ATTEST:**

\_\_\_\_\_  
AGENCY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Best Best & Krieger LLP  
Agency Counsel  
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I, \_\_\_\_\_, Agency Secretary of the City of Covina Redevelopment Agency, Covina, California, do hereby certify that the foregoing Resolution No. 10-643 was duly and regularly passed and adopted by the Covina Redevelopment Agency at a meeting thereof held on the 16th day of November, 2010, and that the foregoing is a full, true and correct copy of said Resolution.

\_\_\_\_\_  
Agency Secretary



# CITY OF COVINA

## PLANNING COMMISSION MEMORANDUM

*ITEM NO. 7*

**TO:** PLANNING COMMISSION

**FROM:** ROBERT NEIUBER, COMMUNITY DEVELOPMENT DIRECTOR

**COORDINATOR:** LISA BRANCHEAU, REDEVELOPMENT MANAGER

**DATE:** OCTOBER 26, 2010

**SUBJECT:** SALE OF MUNICIPAL PARKING LOT BY CITY VEHICLE  
PARKING DISTRICT TO COVINA REDEVELOPMENT  
AGENCY-DETERMINATION OF CONFORMITY WITH THE  
GENERAL PLAN

**APPLICANT:**

Covina Redevelopment Agency

**REQUEST:**

Planning Commission determination of conformity with the General Plan for Vehicle Parking District Sale of municipal parking lot to Covina Redevelopment Agency – Olson Citrus Walk Project as required by Government Code Section 65402

**LOCATION:**

North Municipal Parking Lot located on East Italia Street within the Olson Citrus Walk Project Site.

**SURROUNDING LAND USES AND ZONING:**

Table 1: Surrounding Land Uses and Zoning

[REDACTED]		
Site	Retail Commercial, Welding School, Single-	TCSP-5 (Town Center Specific Plan Retail & Service Core

	family Dwelling, and Public Parking Lot	Focused Activity) Zone
North	Public Park	TCSP-5 (Town Center Specific Plan Park) Zone
South	Retail Commercial, City Hall, Public Parking Lot	<b>TCSP-5 (Town Center Specific Plan Retail &amp; Service Core Focused Activity) Zone</b>
<u>East</u>	Single-family Dwellings and Masonic Lodge	TCSP-4 (Town Center Specific Plan Mixed-Use Focused Activity) Zone
<u>West</u>	Retail Commercial	TCSP-5 (Town Center Specific Plan Retail & Service Core Focused Activity) Zone

The site is located within the TCSP-5 (Town Center Specific Plan Retail & Service Core Focused Activity) Zone, which does not identify mixed-use development as a permitted use. However, mixed-use development is possible per the City's "Zones of Transition" provisions found within the Town Center Specific Plan, which state that the land use focus of one adjacent district may transition to the land use focus of another district. Therefore, mixed commercial/residential uses that are permitted within the adjacent TCSP-4 (Mixed Use Focus Activity Area) Zone located east of the project site are permitted even though it is located in the TCSP-5 Zone.

### **GENERAL PLAN DESIGNATION**

General Commercial (Town Center Specific Plan)

### **NOTIFICATION TO APPLICANT AND ADJACENT PROPERTY OWNERS**

This item is a general matter and not a public hearing. Therefore, it does not require a notice in the newspaper nor notification of adjacent property owners.

### **ENVIRONMENTAL DETERMINATION**

This item implements the approved Disposition and Development Agreement (DDA) between the Redevelopment Agency and Olson Company for the Citrus Walk project. Pursuant to the provisions of the California Environmental Quality Act and State Guidelines, the Redevelopment Agency Board approved a Categorical Exemption for the project on May 18, 2010 as part of a Disposition and Development Agreement (DDA). The exemption was based on CEQA Section 15332, which pertains to urban infill projects that meet the following criteria: a) The project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designation and regulations, (b) the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses, (c) the project site has no value as habitat for endangered, rare or threatened species, (d) approval of the project would not result in any significant effects relating to traffic, noise, air



quality, or water quality, and (e) the site can be adequately served by all required utilities and public services. The public hearing notice for the DDA was published on April 29, 2010, and May 6, 2010, in the San Gabriel Valley Examiner newspaper. The Categorical Exemption is on file with the Agency and office of the City Clerk.

### **BACKGROUND:**

In August 2010, the Site Plan Review, Vesting Tentative Tract Map (VTTM) and Public Street and Alley Vacation items for the Olson Citrus Walk Project were brought before the Covina Planning Commission for review. The Site Plan Review was approved by the Commission and it recommended approval of the VTTM and street/alley vacation to the City Council. The Commission also made findings that the street/alley vacation was in conformity with the General Plan, pursuant to Government Code 65402. The City Council subsequently approved these items in September 2010.

Since that time, the Agency has been finalizing negotiations with the Covina Valley Unified School District (CVUSD) for purchase of the Welding School property and is also taking steps to obtain the Municipal Parking lot located on East Italia Street from the City's Vehicle Parking District. Once these properties are acquired and all tenants have been relocated from the project site, the Agency will demolish all at-grade items and convey the site to the Developer. Staff anticipates that the demolition will commence by January 2011.

One step that must take place to secure the Parking Lot for sale and disposition to Developer, the Olson Company, is to first present to the Planning Commission General Plan Consistency Findings that support the sale. Government Code Section 65402 requires that a City with an adopted General Plan cannot acquire or dispose of any real property for public purposes if the City in which it is located has adopted a general plan,

*...until the location, purpose and extent of such acquisition, disposition, . . . or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof.*

Citations to the applicable General Plan policies and objectives are listed on the following pages. Overall, the acquisition of the municipal parking lot by the Redevelopment Agency from the City's vehicle parking district is consistent with the City's adopted General Plan for the following reasons:

On the one hand, the various General Plan policies and objectives require the City to maintain adequate right-of-way and off-street parking areas and facilities, to support the Vehicle Parking District as the chief mechanism for downtown parking, and to ensure that future development does not reduce general government services below acceptable levels. Recent construction and utilization of municipal parking structures in the Downtown area demonstrates support of this goal. Between the Metrolink Parking Structure and Downtown Parking Structure, the City has made available 780 spaces for public parking, which are more than adequate to address present

and future downtown parking needs. As such, the municipal parking lot proposed to be sold to the Redevelopment Agency is no longer needed to meet the public parking needs of the City. The Vehicle Parking District continues to operate several other parking lots and improvements throughout Covina and will remain a valuable mechanism to provide public parking within the City.

On the other hand, the General Plan requires the need for public parking to be balanced with the need to: 1) Accommodate moderate housing growth, especially in the downtown; 2) Address the City's RHNA and CRA's housing obligations; 3) Capitalize on links to the Metrolink station, including the "urban village" and pedestrian oriented/"livable community" concepts through mixed-use projects 4) Enhance economic growth and tax generation in the downtown, and to 5) Attain as high a jobs-to-housing ratio as feasible.

The proposed Olson Citrus Walk project will provide 49 units of owner-occupied housing (including 8 moderate-income restricted units). This is consistent with the City's moderate growth scenario in the Downtown and also will assist both the City and Agency in meeting their respective housing obligations under State law. The Citrus Walk project is specifically designed for young working adults making use of the "urban village" concept and capitalizing on its proximity to the Covina Metrolink Station as a "livable" and "sustainable" community. By also incorporating 8,000 square feet of mixed-use commercial development along a high-traffic corridor (Citrus Avenue), the project will also enhance the City's tax base while also improving the City's jobs-to-housing ratio.

#### **RECOMMENDATION:**

Agency Staff recommends that the Planning Commission find that the sale by the City's Vehicle Parking District to the Covina Redevelopment Agency of the Municipal Parking Lot located on East Italia Street and within the Olson Citrus Walk Project Site is in conformity with the adopted General Plan.

For your information, citations to the applicable General Plan policies and objectives are on the following pages:

## **Land Use Element:**

**Objective 1: A climate where moderate residential, commercial and industrial development and redevelopment are accommodated.**

### **General:**

Policy 4: Accommodate growth that adequately serves existing and future residents, workers, shoppers, and others while protecting their health, safety and welfare.

Policy 15: Monitor land use, traffic, and circulation pressures associated with the Metrolink Commuter Train Station near the downtown and best capitalize on potentially beneficial impacts by adopting strategies such as an “urban village” or livable cities concept, incorporating mixed uses (like residential on top of commercial), sufficient businesses, and attractive and functional public and private improvements.

Policy 24: Balance the City’s obligation to provide more housing with the need to maintain and bolster local economic development efforts in terms of attaining as high a jobs-to-housing ratio as feasible and as great a retail sales tax generation amount as possible.

### **Residential:**

Policy 3: Accommodate various new and rehabilitated housing types, such as single-family detached houses, apartments, and condominiums/townhouses, for a variety of existing and future economic segments, including lower and moderate income households, at quantities that address the intent of State and regional/SCAG housing statutes and policies as well as meet Covina Redevelopment Agency affordable housing targets and that do not adversely affect the integrity of established residential areas.

Policy 8: Encourage the construction of owner-occupied housing.

### **Commercial:**

Policy 1: Permit development at intensity ranges, site locations, and quantities that reflect existing and desired scales of building construction and revitalization in the community, as well as physical and environmental constraints, that will allow for moderate future growth, and that will not inhibit the City’s ability to meet street capacities and to provide other infrastructure, adequate community services, and utilities.

Policy 10: Pay particular attention to the special needs and character of the downtown, continue appropriate economic revitalization, physical enhancement, and use refinement activities that will attain a greater variety of retail businesses, attract more people, and generate more sales tax and overall vitality, and consider incorporating mixed uses within an “urban” village” or livable cities concept, including residential on top of commercial, to bolster

social and economic activity, to best exploit Metrolink Commuter Train Station proximity, to provide needed housing and to reduce vehicular trips.

**Objective 4: A climate where moderate residential, commercial and industrial development and redevelopment are accommodated.**

Policy f: Devote particular attention, through Redevelopment Agency and other efforts, to addressing the special characteristics and needs of the downtown and continue with ambitious physical improvement efforts and activities to attract more vibrant uses and therefore more people, to develop better links to the Metrolink Commuter Train Station, and to accommodate housing in mixed use complexes geared toward various population segments, such as working professional and lower-income households.

**Objective 5: The provision of sufficient public facilities and services.**

Policy a: Preserve and maintain existing major community facilities illustrated on the “Future Public and Quasi-Public Facilities Map”, except where community goals, objectives, and policies are best furthered.

Policy c: Achieve an adequately designed and functional street system and other infrastructure, including utility and storm drainage systems plus an adequate distribution of public and quasi-public facilities, in accommodating future growth to best maintain the community’s visual, economic, and spiritual vitality.

Policy g: Ensure that future development will not result in a reduction of general government services below acceptable levels.

**Circulation Element:**

**Policy Area 1: Maintenance and improvement of public right-of-way and related infrastructure to accommodate future growth.**

3. Maintain and, where administratively and financially possible, improve the physical condition, structural integrity, design capacity, utilization, appearance, and/or cleanliness of Covina’s public rights-of-way and facilities, including, but not limited to, streets, alleys, sidewalks, medians, landscaping, parking areas and miscellaneous infrastructure.

**Policy Area 3: Downtown Covina.**

2. Continue to address the unique situation of the downtown by following special applicable sections of the Zoning Ordinance and by continuing to support the downtown Parking District as a viable mechanism for the development and maintenance of parking.

6. Continue accommodating, where appropriate, vibrant, quality, and pedestrian-oriented retail activities in the downtown to bolster district vitality, economic development, and revitalization but without overburdening parking, traffic, and circulation.

**Policy Area 3: Funding.**

12. Continue to support the downtown Parking District as the chief mechanism for developing and maintaining off-street parking in the unique downtown area.

**CITY OF COVINA &  
COVINA REDEVELOPMENT AGENCY  
AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** JPH 1

**STAFF SOURCE:** Robert Neiuber, Director of Community Development<sup>N</sup>  
Lisa Brancheau, Redevelopment Manager

**ITEM TITLE:** Public Hearing for Land Exchange Agreement with Covina  
Valley Unified School District (CVUSD) for Olson Citrus Walk Project  
and for a joint vocational training facility

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**STAFF RECOMMENDATION**

Adopt **Resolution No. 10-6906** of the City Council of the City of Covina and **Resolution No. 10-642** of the Redevelopment Agency of the City of Covina Approving a Land Exchange Agreement with Covina Unified School District, a California School District, for property located at 120 East School Street and a portion of parcel 8444-021-904 and making certain findings pursuant to California Health and Safety Code Section 33433 in connection with the Covina Redevelopment Agency's sale of property acquired with tax increment funds.

**FISCAL IMPACT**

No General fund impact. \$1.3 million in Project Area No. 1 Public Purpose Bond Money will be used which will result in a \$1.3 million transfer from Account No. 5013-0000-00-33000 to Account No. 5013-4650-00-51990 is requested.

As to the land exchange, 60% of the Agency-owned parcel located on Puente Street, west of Citrus Avenue (APN # 8444-021-904) and an access/drainage easement, will be exchanged for Covina Valley Unified School District (CVUSD) property located at 120 E. School Street. An appraisal completed by Himes and Himes supports this land exchange as being equal.

**BACKGROUND**

The CVUSD property, located at 120 East School Street, is the last remaining parcel to be acquired within the Olson Citrus Walk Project site. A settlement agreement which provides for an exchange of CVUSD property at 120 East School Street for 60% of the Agency-owned parcel located on Puente Street, west of Citrus Avenue (APN # 8444-021-904) and access/drainage easement to the Agency, has been agreed to by both parties.

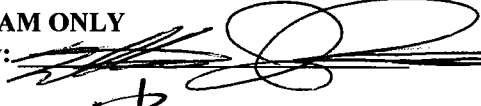



In addition, \$1.3 in Project Area No. 1 Public Purpose Bond monies will be used by the CVUSD for construction of a vocational training facility. The City of Covina Redevelopment Agency-CVUSD facility will serve the public and will offer welding school classes. Welding classes for high school-aged children within the CVUSD will also be held. The community will benefit greatly from this joint City-School District venture as the vocational training courses provided and the certifications that can be obtained through adult-education courses will be a valuable asset for those who are actively seeking jobs requiring such skills.

**RELEVANCE TO STRATEGIC PLAN**

Acquiring the CVUSD property will complete the property acquisition process for the Olson Citrus Walk Project; a project that is in keeping with the Strategic Plan Goal to Enhance Financial Stability. This will occur within the Downtown corridor.

**EXHIBITS**

- A. Resolution No. **10-6906**
- B. Resolution No. **10-642**
- C. Land Exchange Agreement (On-file in the Covina City Clerk's Office)
- D. 33433 Information Report (On-file in the Covina City Clerk's Office)

<b>REVIEW TEAM ONLY</b>	
City Attorney: 	Finance Director: 
City Manager: 	Other: 

**RESOLUTION NO. 10-6906**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, APPROVING A LAND EXCHANGE AGREEMENT WITH COVINA VALLEY UNIFIED SCHOOL DISTRICT, A CALIFORNIA SCHOOL DISTRICT, FOR PROPERTY LOCATED AT 120 EAST SCHOOL STREET & A PORTION OF LAND LOCATED ON PUENTE STREET, WEST OF CITRUS AVENUE (APN # 8444-021-904) AND MAKING CERTAIN FINDINGS PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 33433 IN CONNECTION WITH THE COVINA REDEVELOPMENT AGENCY'S SALE OF PROPERTY ACQUIRED WITH TAX INCREMENT FUNDS**

**WHEREAS**, the City Council of the City of Covina ("City") approved and adopted a redevelopment plan ("Redevelopment Plan") for a redevelopment project area known as the Project Area No. 1 ("Project Area") as adopted by Ordinance No. 1546 on September 19, 1983, as amended by Ordinance No. 87-1640 adopted on July 13, 1987; and

**WHEREAS**, the Covina Redevelopment Agency ("Agency") is engaged in activities to execute and implement the Redevelopment Plan for the Project Area pursuant to the provisions of the California Community Redevelopment Law (Health and Safety Code § 33000, et seq.) ("CRL"); and

**WHEREAS**, the Agency has negotiated a Land Exchange Agreement with Covina Valley Unified School District, a California School District ("District"), which is attached hereto and incorporated herein by reference as "Exhibit A"; and

**WHEREAS**, Agency owns that certain real property generally located along Puente Street in the City of Covina, County of Los Angeles, State of California (specifically described and defined in the Land Exchange Agreement) ("Agency Property"); and

**WHEREAS**, Agency is working with Olson Land Projects, LLC, a Delaware limited liability company, to construct the Citrus Walk Project, a mixed use (retail and housing) development consisting of forty-nine (49) for-sale units, eight (8) of which will be restricted as workforce housing units ("Project"); and

**WHEREAS**, District owns that certain real property generally located along School Street in the City of Covina, County of Los Angeles, State of California (specifically described and defined in the Land Exchange Agreement) ("District Property"); and

**WHEREAS**, Agency desires to acquire the District Property for the Project in exchange for a portion of the Agency Property. Due to the disparate values of the Properties, Agency will convey approximately sixty percent (60%) of the Agency Property to the District. The remaining forty



percent shall be retained by the Agency. The Agency Property conveyed to the District shall be restricted to Public Purpose uses, as defined in the Land Exchange Agreement, provided the District may use the Agency Property for a non-Public Purpose for a period not to exceed ten (10) years. Additionally, the Agency Property shall be burdened with a twenty eight foot (28') easement for pedestrian and vehicular ingress and egress purposes over a portion of the Agency Property and in Agency's favor, and the parties enter into a reciprocal drainage easement agreement for the District Property and Agency Property; and

**WHEREAS**, District desires to acquire the Agency Property and is willing to grant the easements in exchange for the District Property, provided Agency pursues and pays for all required Approvals (as defined in the Land Exchange Agreement); and

**WHEREAS**, in lieu of relocation benefits pursuant to the California Relocation Assistance Law, the implementing regulations set forth in California Code of Regulations, Title 25, Chapter 6, Section 6000, et seq., and, if applicable, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and/or the California Eminent Domain Law to current or former owners or occupants of the District Property, District and Agency desire to enter into a joint venture ("Joint Venture") for the construction of a new Joint City of Covina and Covina Valley Unified School District Public Vocational Job Training Facility ("Vocational Facility"), to be constructed and operated by the District on that certain real property owned by the District and located at 231 E Stephanie Drive, in the City of Covina, County of Los Angeles, State of California (specifically described and defined in the Agreement as the "Vocational Facility Site"), as further set forth in the Land Exchange Agreement; and

**WHEREAS**, pursuant to Government Code Section 65402, the City Planning Commission has determined that the disposal of the Agency Property and acquisition of the District Property is in conformance with the City's General Plan; and

**WHEREAS**, the Agreement implements the goals and objectives of the Agency and the City for the development of the Project, which will benefit the economic development needs of the City and assist the Agency in eliminating blight and developing workforce housing as set forth in the Redevelopment Plan and CRL; and

**WHEREAS**, the City has determined that implementation of the Agreement: (i) is in the best interest of the City, the Agency and the health, safety and welfare of the City's taxpayers and residents and is in accordance with the public purposes set forth in the Redevelopment Plan and CRL; (ii) strengthens the City's land use and social structure; and (iii) alleviates economic and physical blight in the City while increasing the supply of workforce housing; and

**WHEREAS**, pursuant to CRL Section 33430 the Agency has the authority to dispose of any real property it has acquired for redevelopment purposes; and

**WHEREAS**, pursuant to CRL Section 33431 the Agency may dispose of real property without a public bidding process after holding a duly noticed public hearing; and

**WHEREAS**, pursuant to CRL Section 33433, before any property of the Agency acquired in whole or in part, directly or indirectly, with tax increment moneys is sold for development pursuant to the redevelopment plan, the agreement shall first be approved by the legislative body by resolution after public hearing; and

**WHEREAS**, pursuant to CRL Section 33433, the Agency may, with the consent of the City Council, approve the sale of the Agency Property to the District for development of the Project if the City Council makes certain findings following a noticed public hearing; and

**WHEREAS**, the Agency has prepared, and the City Council has reviewed and considered, a summary pursuant to CRL Section 33433 ("Summary") setting forth: (1) the cost of the Land Exchange Agreement to the Agency; (2) the estimated value of the interest to be conveyed; and (3) an explanation of how the conveyance of the Agency Property will assist in the elimination of blight within the Project Area and has made the Summary available for public inspection in accordance with CRL Section 33433; and

**WHEREAS**, pursuant to CRL Sections 33431 and 33433, on October 28, 2010 and November 4, 2010, the City caused notice of the joint public hearing of the City Council and the Agency's Governing Board to be published in the San Gabriel Valley Examiner, a newspaper of general circulation within the Agency's territorial jurisdiction; and

**WHEREAS**, pursuant to provisions of CRL Sections 33431 and 33433, the City Council and the Agency's Governing Board held a duly noticed joint public hearing on the proposed Land Exchange Agreement; and

**WHEREAS**, the City is the lead agency concerning the Land Exchange Agreement pursuant to the California Environmental Quality Act (codified as Public Resources Code Sections 21000 *et seq*) ("CEQA") and the State CEQA Guidelines; and

**WHEREAS**, City staff has determined that the City's approval of the Land Exchange Agreement is exempt from CEQA pursuant to CEQA Guidelines Section 15332, because the Land Exchange Agreement can be characterized as in-fill development meeting the following conditions: (i) the implementation of the Land Exchange Agreement is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (ii) the implementation of the Land Exchange Agreement occurs within the City's limits and the Agency Property and District Property consist of no more than five (5) acres substantially surrounded by urban uses; (iii) the Agency Property and District Property have no value as habitat for endangered, rare or threatened species; (iv) approval of the Land Exchange Agreement would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (v) the Agency Property and District Property can be adequately served by all required utilities and public services; and

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Covina as follows:

**Section 1.**     **Recitals.** The Recitals set forth above are true and correct and incorporated herein.

**Section 2.**     **33433 Findings.** The City Council approves the Summary and disposition of the Agency Property and finds and determines, based on the information made available in the Summary, the staff report accompanying this Resolution, the oral presentation of City staff, and all other written and oral evidence presented to the City Council at or prior to the public hearing, that:

- (i) The conveyance of title in the Agency Property to the District will assist in the elimination of blight by selling underutilized and economically stagnant property and will provide housing for low- or moderate-income persons by permitting development of the Project; and
- (ii) The conveyance of title in the Agency Property is consistent with the implementation plan for the Project Area; and
- (iii) The consideration to be paid for title in the Agency Property by the District is not less than the fair market value of the Property at its highest and best use in accordance with the Redevelopment Plan [**OR** not less than the fair reuse value at the use and with the covenants and conditions and development costs authorized by the sale or lease].

**Section 3.**     **Agreement Approval.** The City Council approves the Agreement together with any non-substantive changes and amendments as may be approved by both the City Manager/Executive Director of the Agency and the City Attorney/Redevelopment Counsel.

**Section 4**     **Agreement Implementation.** The City Council hereby authorizes and directs the City Manager/Executive Director of the Agency to take any action and execute any documents necessary to implement the Agreement.

**Section 5**     **Budget Increase and Transfer of Funds.** \$1.3 million in Project Area No. 1 Public Purpose Bond Money will be used and a transfer from Account No. 5013-0000-00-33000 to Account No. 5013-4650-00-51990 is requested.

**Section 6.**     **CEQA.** The City Council determines that approval of the Agreement is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Sections 15332 in that the project can be characterized as an in-fill development meeting the conditions set forth in Section 15332 of the CEQA State Guidelines, and that no subsequent or supplemental environmental review is necessary.

**Section 7.**     **Notice of Exemption.** The City Council hereby authorizes and directs that a Notice of Exemption shall be filed with the Clerk of the Board of Supervisors of the County of San Bernardino, California, within five (5) working days following the date of adoption of this Resolution.

**Section 8.**     **Effective Date.** This Resolution shall take effect immediately upon its adoption.

**Section 9.**     **Certification.** The City Clerk shall certify to the passage and adoption of this Resolution and the same shall thereupon take effect and be in force immediately upon its adoption.

**APPROVED AND ADOPTED** this 16th day of November, 2010.

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Best Best & Krieger LLP  
City Attorney

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I, \_\_\_\_\_, City Clerk of the City Council of the City of Covina, California,  
do hereby certify that the foregoing Resolution No. \_\_\_\_ was duly and regularly passed and adopted  
by the City of Covina at a meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2010, and that the  
foregoing is a full, true and correct copy of said Resolution.

\_\_\_\_\_  
City Clerk

**EXHIBIT A**

**(AGREEMENT ON FILE IN CITY CLERK'S OFFICE)**

## **RESOLUTION NO. 10-642**

### **A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF COVINA, CALIFORNIA, APPROVING A LAND EXCHANGE AGREEMENT WITH COVINA VALLEY UNIFIED SCHOOL DISTRICT, A CALIFORNIA SCHOOL DISTRICT, FOR PROPERTY LOCATED AT 120 EAST SCHOOL STREET & A PORTION OF LAND LOCATED ON PUENTE STREET, WEST OF CITRUS AVENUE (APN# 8444-021-904) AND MAKING CERTAIN FINDINGS PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 33433 IN CONNECTION WITH THE COVINA REDEVELOPMENT AGENCY'S SALE OF PROPERTY ACQUIRED WITH TAX INCREMENT FUNDS**

**WHEREAS**, the City Council of the City of Covina ("City") approved and adopted a redevelopment plan ("Redevelopment Plan") for a redevelopment project area known as the Project Area No. 1 Project Area ("Project Area") as adopted by Ordinance No. 1546 on September 19, 1983, as amended by Ordinance No. 87-1640 adopted on July 13, 1987; and

**WHEREAS**, the Covina Redevelopment Agency ("Agency") is engaged in activities to execute and implement the Redevelopment Plan for the Project Area pursuant to the provisions of the California Community Redevelopment Law (Health and Safety Code § 33000, et seq.) ("CRL"); and

**WHEREAS**, the Agency has negotiated a Land Exchange Agreement with Covina Valley Unified School District, a California School District ("District"), which is attached hereto and incorporated herein by reference as "Exhibit A"; and

**WHEREAS**, Agency owns that certain real property generally located along Puente Street in the City of Covina, County of Los Angeles, State of California (specifically described and defined in the Land Exchange Agreement) ("Agency Property"); and

**WHEREAS**, Agency is working with Olson Land Projects, LLC, a Delaware limited liability company, to construct the Citrus Walk Project, a mixed use (retail and housing) development consisting of forty-nine (49) for-sale units, eight (8) of which will be restricted as workforce housing units ("Project"); and

**WHEREAS**, District owns that certain real property generally located along School Street in the City of Covina, County of Los Angeles, State of California (specifically described and defined in the Land Exchange Agreement) ("District Property"); and

**WHEREAS**, Agency desires to acquire the District Property for the Project in exchange for a portion of the Agency Property. Due to the disparate values of the Properties, Agency will convey approximately sixty percent (60%) of the Agency Property to the District. The remaining forty

percent shall be retained by the Agency. The Agency Property conveyed to the District shall be restricted to Public Purpose uses, as defined in the Land Exchange Agreement, provided the District may use the Agency Property for a non-Public Purpose for a period not to exceed ten (10) years. Additionally, the Agency Property shall be burdened with a twenty eight foot (28') easement for pedestrian and vehicular ingress and egress purposes over a portion of the Agency Property and in Agency's favor, and the parties enter into a reciprocal drainage easement agreement for the District Property and Agency Property; and

**WHEREAS**, District desires to acquire the Agency Property and is willing to grant the easements in exchange for the District Property, provided Agency pursues and pays for all required Approvals (as defined in the Land Exchange Agreement); and

**WHEREAS**, in lieu of relocation benefits pursuant to the California Relocation Assistance Law, the implementing regulations set forth in California Code of Regulations, Title 25, Chapter 6, Section 6000, et seq., and, if applicable, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and/or the California Eminent Domain Law to current or former owners or occupants of the District Property, District and Agency desire to enter into a joint venture ("Joint Venture") for the construction of a new Joint City of Covina and Covina Valley Unified School District Public Vocational Job Training Facility ("Vocational Facility"), to be constructed and operated by the District on that certain real property owned by the District and located at 231 E Stephanie Drive, in the City of Covina, County of Los Angeles, State of California (specifically described and defined in the Agreement as the "Vocational Facility Site"), as further set forth in the Land Exchange Agreement; and

**WHEREAS**, pursuant to Government Code Section 65402, the City Planning Commission has determined that the disposal of the Agency Property and acquisition of the District Property is in conformance with the City's General Plan; and

**WHEREAS**, the Agreement implements the goals and objectives of the Agency and the City for the development of the Project, which will benefit the economic development needs of the City and assist the Agency in eliminating blight and developing workforce housing as set forth in the Redevelopment Plan and CRL; and

**WHEREAS**, the Agency has determined that implementation of the Agreement: (i) is in the best interest of the City, the Agency and the health, safety and welfare of the City's taxpayers and residents and is in accordance with the public purposes set forth in the Redevelopment Plan and CRL; (ii) strengthens the City's land use and social structure; and (iii) alleviates economic and physical blight in the City while increasing the supply of workforce housing; and

**WHEREAS**, pursuant to CRL Section 33430 the Agency has the authority to dispose of any real property it has acquired for redevelopment purposes; and

**WHEREAS**, pursuant to CRL Section 33431 the Agency may dispose of real property without a public bidding process after holding a duly noticed public hearing; and

**WHEREAS**, pursuant to CRL Section 33433, before any property of the Agency acquired in whole or in part, directly or indirectly, with tax increment moneys is sold for development pursuant to the redevelopment plan, the agreement shall first be approved by the legislative body by resolution after public hearing; and

**WHEREAS**, pursuant to CRL Section 33433, the Agency may, with the consent of the City Council, approve the sale of the Agency Property to the District for development of the Project if the City Council makes certain findings following a noticed public hearing; and

**WHEREAS**, the Agency has prepared, and the City Council has reviewed and considered, a summary pursuant to CRL Section 33433 (“Summary”) setting forth: (1) the cost of the Land Exchange Agreement to the Agency; (2) the estimated value of the interest to be conveyed; and (3) an explanation of how the conveyance of the Agency Property will assist in the elimination of blight within the Project Area and has made the Summary available for public inspection in accordance with CRL Section 33433; and

**WHEREAS**, pursuant to CRL Sections 33431 and 33433, on October 28, 2010 and November 4, 2010, the City caused notice of the joint public hearing of the City Council and the Agency’s Governing Board to be published in the San Gabriel Valley Examiner, a newspaper of general circulation within the Agency’s territorial jurisdiction; and

**WHEREAS**, pursuant to provisions of CRL Sections 33431 and 33433, the City Council and the Agency’s Governing Board held a duly noticed joint public hearing on the proposed Land Exchange Agreement; and

**WHEREAS**, the City is the lead agency concerning the Land Exchange Agreement pursuant to the California Environmental Quality Act (codified as Public Resources Code Sections 21000 *et seq*) (“CEQA”) and the State CEQA Guidelines; and

**WHEREAS**, Agency staff has determined that the City’s approval of the Land Exchange Agreement is exempt from CEQA pursuant to CEQA Guidelines Section 15332, because the Land Exchange Agreement can be characterized as in-fill development meeting the following conditions: (i) the implementation of the Land Exchange Agreement is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (ii) the implementation of the Land Exchange Agreement occurs within the City’s limits and the Agency Property and District Property consist of no more than five (5) acres substantially surrounded by urban uses; (iii) the Agency Property and District Property have no value as habitat for endangered, rare or threatened species; (iv) approval of the Land Exchange Agreement would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (v) the Agency Property and District Property can be adequately served by all required utilities and public services; and

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred.



**NOW, THEREFORE, BE IT RESOLVED** by the Governing Board of the City of Covina as follows:

**Section 1. Recitals.** The Recitals set forth above are true and correct and incorporated herein.

**Section 2. 33433 Findings.** The Governing Board approves the Summary and disposition of the Agency Property and finds and determines, based on the information made available in the Summary, the staff report accompanying this Resolution, the oral presentation of Agency staff, and all other written and oral evidence presented to the Governing Board at or prior to the public hearing, that:

- (i) The conveyance of title in the Agency Property to the District will assist in the elimination of blight by selling underutilized and economically stagnant property and will provide housing for low- or moderate-income persons by permitting development of the Project; and
- (ii) The conveyance of title in the Agency Property is consistent with the implementation plan for the Project Area; and
- (iii) The consideration to be paid for title in the Agency Property by the District is not less than the fair market value of the Property at its highest and best use in accordance with the Redevelopment Plan [OR not less than the fair reuse value at the use and with the covenants and conditions and development costs authorized by the sale or lease].

**Section 3. Agreement Approval.** The Governing Board approves the Agreement together with any non-substantive changes and amendments as may be approved by both the City Manager/Executive Director of the Agency and the City Attorney/Redevelopment Counsel.

**Section 4. Agreement Implementation.** The Governing Board hereby authorizes and directs the City Manager/Executive Director of the Agency to take any action and execute any documents necessary to implement the Agreement.

**Section 5 Budget Increase and Transfer of Funds.** \$1.3 million in Project Area No. 1 Public Purpose Bond Money will be used and a transfer from Account No. 5013-0000-00-33000 to Account No. 5013-4650-00-51990 is requested.

**Section 6. CEQA.** The Governing Board determines that approval of the Agreement is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Sections 15332 in that the project can be characterized as an in-fill development meeting the conditions set forth in Section 15332 of the CEQA State Guidelines, and that no subsequent or supplemental environmental review is necessary.

**Section 7. Notice of Exemption.** The Governing Board directs and authorizes that a Notice of Exemption shall be filed with the Clerk of the Board of Supervisors of the County of San

Bernardino, California, within five (5) working days following the date of adoption of this Resolution.

**Section 8.**     **Effective Date.** This Resolution shall take effect immediately upon its adoption.

**Section 9.**     **Certification.** The Agency Secretary shall certify to the passage and adoption of this Resolution and the same shall thereupon take effect and be in force immediately upon its adoption.

**APPROVED AND ADOPTED** this 16<sup>th</sup> day of November, 2010.

\_\_\_\_\_  
Chair

**ATTEST:**

\_\_\_\_\_  
Agency Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Best Best & Krieger LLP  
Redevelopment Counsel

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I, \_\_\_\_\_, Agency Secretary of the Redevelopment Agency of the City of Covina, California, do hereby certify that the foregoing Resolution No. \_\_\_\_ was duly and regularly passed and adopted by the Redevelopment Agency at a meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2010, and that the foregoing is a full, true and correct copy of said Resolution.

\_\_\_\_\_  
Agency Secretary

**EXHIBIT A**


**(AGREEMENT ON FILE IN CITY CLERK'S OFFICE)**

# **CITY OF COVINA**

## **AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** NB 1

**STAFF SOURCE:** Steve Henley, Director of Public Works   
Kim Raney, Chief of Police  
Kalieh Honish, Assistant Director of Public Works  
Leo Tolentino, City Engineer

**ITEM TITLE:** Introduction and Waiving of Further Reading of **Ordinance No. 10-1987**  
Amending Title 11 of the Covina Municipal Code Pertaining to Controls  
in Public Rights-of-Way

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### **STAFF RECOMMENDATION:**

Introduce and waive further reading of **Ordinance No. 10-1987** amending Title 11 of the Covina Municipal Code pertaining to controls in the public rights-of-way.

### **FISCAL IMPACT:**

The proposed Ordinance seeks to update and modernize the City's current controls on and regulations of operations and activities conducted within the public rights-of-way. While its provisions strengthen the City's liability protections and reinforce the responsibility of permittees to bear the full cost of their operations and activities, the proposed Ordinance has no direct fiscal impact.

### **BACKGROUND:**

Title 11 of the Covina Municipal Code, in general, regulates and controls activities within the city's public rights-of-way including, but not limited to, construction of public improvements, underground utility installations and maintenance, house numbering, installation and maintenance of newsracks, street trees, and a variety of encroachments. The vast majority of the City's regulations in this area date back to 1964; with the last major update of the regulations having occurred in 1978. While these regulations were sufficient at the time of their adoption, 30 years later they no longer adequately address the current-day issues related to public rights-of-way regulation and their administration.

To rectify this situation and to bring the City's public rights-of-way regulations up to current-day standards, staff has prepared Ordinance No. 10-1987, which is before you for consideration this evening. The proposed Ordinance updates and modernizes the City's rights-of-way regulations to address the changes in operations and law that have evolved over the last 30 years and strengthens the City's ability to ensure that operations and activities conducted within the public rights-of-way are performed in a manner conducive to the protection of the public health, safety and welfare. A few of the key points contained within the proposed Ordinance are as follows:




- Highway construction permit regulations have been strengthened to ensure that permittees operate in a safe manner while in public rights-of-way and that any disturbed surfaces are replaced in an acceptable manner at the permittees cost.
- The long-standing general agreement between the city and its neighboring cities and the County of Los Angeles that “no fee” permits are issued to each other when needed has been codified; as the County has codified within Division 1, Title 16 of the Los Angeles County Code.
- Requirements for working near, operating and/or maintaining underground pipelines conveying toxic, corrosive or flammable liquids or high pressure natural gas have been established.
- Regulations covering the placement, operation and maintenance of roll-off bins and moving permits have been expanded and strengthened to enhance public safety and property protection.
- A separate “outdoor sidewalk dining” permit has been created to streamline the process and reduce the cost of permits for establishments placing a table(s) and chairs on the sidewalk adjacent to their businesses versus establishments encroaching on rights-of-way with semi-permanent partitions and furniture.
- Responsibility for the permitting and enforcement of newsrack installation regulations is transferred from the Police Department to the Public Works Department.
- All entities owning, operating and/or maintaining underground utility facilities within the city are required to submit current, to scale, and updated maps showing the location of all their facilities including transmission and distribution lines, isolation valves, vaults, etc.

#### **RELEVANCE TO THE STRATEGIC PLAN**

While clarified public right-of-way permitting regulations and the acquisition of updated utility maps are supportive of the City’s goal to improve and promote customer service and strengthening the permitting process to ensure that permittees bear the full cost of their encroachments or activities within the public rights-of-way is clearly supportive of the City’s goal to enhance financial stability, the proposed Ordinance has no direct relevance to the Strategic Plan.

#### **EXHIBITS:**

A. Ordinance No. 10-1987

<b>REVIEW TEAM ONLY</b>	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

## ORDINANCE NO. 10-1987

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA AMENDING TITLE 11 PERTAINING TO CONTROLS IN PUBLIC RIGHTS-OF-WAY

THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA DOES HEREBY  
ORDAIN AS FOLLOWS:

**Section 1:** Section 11.04.040 of Chapter 11.04 of Title 11 of the Covina Municipal Code is hereby amended to read as follows:

**“11.04.040 Procedure.**

Upon application for a building permit or permit required under CMC 11.08.030, or prior to construction of any parking or storage lot, the Director of Public Works (“Director”) shall determine the improvements which are required by this chapter. The applicant shall provide construction plans, quantity and cost estimates, and construction staking. The Director shall accept or modify the quantity and cost estimates. No permits shall be issued for any building or dwelling, nor shall any parking or storage lot be constructed, nor shall any development of any area occur, until the Director certifies that the improvements required by this chapter exist or that a performance bond has been posted with the city to guarantee the construction of the improvements, and necessary rights-of-way have been dedicated. A cash deposit shall be submitted with the required performance bond, the amount based on a percentage of the estimated construction or installation cost of the improvements and the sum to be for inspection and plan checking charges. The percentage to be used shall be established by the city council from time to time by resolution.”

**Section 2:** Chapter 11.08 of Title 11 of the Covina Municipal Code is hereby amended to read as follows:

“Chapter 11.08

HIGHWAY PERMITS AND REGULATIONS

SUBCHAPTER I – GENERAL PROVISIONS AND DEFINITIONS – PERMIT REQUIRED

Sections:

11.08.010	Powers of deputies.
11.08.020	Definitions.
11.08.030	Permit – Prerequisite to commencement of certain work.
11.08.040	Commencement of work without permit – Permit required.
11.08.050	Applicability of provisions to non-permittees.
11.08.060	Permit – Availability for inspection.

## SUBCHAPTER II – APPLICATION FOR PERMIT; PERMIT ISSUANCE; FEES AND COSTS; PERMIT DENIAL AND REVOCATION; BILLING FOR COSTS

### Sections:

- 11.08.070 Application - Form.
- 11.08.080 Application – Information required.
- 11.08.090 Application – Liability and Relocation Statements required.
- 11.08.100 Application – Plans or plats prepared by engineer when.
- 11.08.110 Application – Information Re: Overhead structures or encroachments.
- 11.08.120 Permits – Issuance/Denial/Revocation.
- 11.08.130 Permits – Appeal of Director’s Decision.
- 11.08.140 Permits – Period of validity to be specified - Extension.
- 11.08.150 Blanket permits.
- 11.08.160 Permits – Not transferable.
- 11.08.170 Issuance Fee.
- 11.08.180 Unit fees for highway permit inspection costs - Exception.
- 11.08.190 Costs related to permit – permittee liability.
- 11.08.200 Computation of costs.
- 11.08.210 Billing for all chargeable fees and costs.

## SUBCHAPTER III – DEPOSITS AND SECURITY

### Sections:

- 11.08.220 Cash deposit or other security required – Exceptions.
- 11.08.230 Cash deposit – Form and use conditions.
- 11.08.240 Other security – types acceptable.
- 11.08.250 Refund of deposits.

## SUBCHAPTER IV – GENERAL CONDITIONS OF PERMIT ISSUANCE

### Sections:

- 11.08.260 Permit Work – compliance with codes and Director’s orders required.
- 11.08.270 Permit – Additional Conditions for issuance.
- 11.08.280 Permit Work – Standard Specifications for Public Works Construction and other specifications applicable.
- 11.08.290 Permit Work – Safeguarding, restoration, completion and cleanup.
- 11.08.300 Permit Work – Warning signs, lights and barricades – Requirements.
- 11.08.310 Unauthorized highway work – Rehabilitation by city authorized when – Costs.
- 11.08.320 Highway closure or use restriction authorized when.
- 11.08.330 Completion of Excavation – Notice to Director – Preservation of monuments.

## SUBCHAPTER V – LOCATION, EXCAVATION AND RELOCATION OF FACILITIES

### Sections:

- 11.08.340 Permit Work – Relocation of facilities or plantings – Procedures and costs.
- 11.08.350 Investigation and Relocation of Facilities owned by others within highways.
- 11.08.360 Investigation and Notification to owners – Underground facilities and excavations.
- 11.08.370 Investigation – Location of Pipelines carrying hazardous substances.
- 11.08.380 Excavation Restrictions – Pipelines carrying hazardous substances.
- 11.08.390 investigation and Notice when unidentified utilities are located.

## SUBCHAPTER VI – COMPLETION OF WORK; LIABILITY FOR DAMAGE – RESTORATION OF HIGHWAY AND FACILITIES

### Sections:

- 11.08.400 Certificate of acceptance for completed work.
- 11.08.410 Permittee liability for damage or injury.
- 11.08.420 Restoration of highway surfaces.
- 11.08.430 Failure to comply with regulations – City to perform work when – Costs.

## SUBCHAPTER VII – SPECIAL CONSTRUCTION STANDARDS – DRIVEWAYS

### Sections:

- 11.08.440 Driveways – Concrete construction required when.
- 11.08.450 Driveways – Location restrictions.
- 11.08.460 Driveways – Width specifications.
- 11.08.470 Driveways – Aggregate width limitations.
- 11.08.480 Driveways – minimum intervening distance.
- 11.08.490 Driveways – Prohibited in certain locations.
- 11.08.500 Driveways - In curb return curvature – Limitations.
- 11.08.510 Driveways – Deviation from requirements authorized when.

## SUBCHAPTER VIII – SPECIAL CONSTRUCTION STANDARDS – UNDERGROUND PIPELINES

### Sections:

- 11.08.520 Pipelines carrying hazardous substances – Membership in one-call notification system required.
- 11.08.530 Underground pipelines – minimum depth of cover.
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## SUBCHAPTER I. GENERAL PROVISIONS AND DEFINITIONS – PERMIT REQUIRED

### **11.08.010      Powers of Deputies.**

Whenever a power is granted to, or a duty is imposed upon a public officer, the power may be exercised or the duty may be performed by a deputy of the officer, or by a person authorized pursuant to law or ordinance by the officer, unless this Chapter expressly provides otherwise.

### **11.08.020      Definitions.**

For purposes of this chapter, the following terms shall have the prescribed meanings attached to them, unless the context clearly indicates otherwise:

1. ‘Base course’ means that portion of the highway located between the pavement and the native soil.
2. ‘City’ means the City of Covina.

3. 'City Council' means the City Council of the City of Covina.
4. 'Director' or 'Director of Public Works' means the Director of Public Works of the City of Covina.
5. 'Driveway' means that portion of the highway between the property line and curb, or between the property line and the pavement if no curb exists, where vehicles enter or leave the highway onto adjacent property.
6. 'Encroachment' means and includes any obstruction, tower, pole, pole line, pipe, fence, wire, cable, conduit, stand or building, or any structure or object of any kind or character not particularly mentioned in this Chapter, which is placed in, along, under, over or across the highway. This section does not apply to the temporary use of the highway for ordinary maintenance of any existing authorized or permitted encroachment; nor to the suspension or stringing on existing pole lines of additional cables, wires, transmission lines, conduits or service connections solely for cable television, wired telephone or electric power purposes.
7. 'Excavation' means any activity in which earth, rock, asphaltic concrete, cement, or other material in or on the ground is moved or otherwise displaced by means of manual or mechanical tools, equipment, or explosives and shall include grading, trenching, digging, ditching, drilling, augering, tunneling, scraping, and cable, conduit or pipe plowing or driving.
8. 'Facilities' or 'pipelines' means pipes, pipelines, pipe coatings and encasements, valves, tanks, mains, service lines, conduits, duct banks, cables, wires, poles, tunnels, obstructions and other apparatus, both aerial and underground.
9. 'Hazardous substance' means one having the potential for explosion, fire, poisoning, or other immediate disaster, such as, but not limited to, gasoline, fuel oil, butane, propane, chemicals, or chlorine, and natural gas transported at pressures greater than 60 psi.
10. 'Height' means that dimension measured from the level surface upon which a vehicle stands to the highest protrusion in a vertical line.
11. 'Highway' means any public highway, public street, median, public alley, public sidewalk, public way or public place in the city, either owned by the city or dedicated to the public for the purposes of pedestrian or vehicular travel. The term includes all or any part of the entire width of public right-of-way, and above and below the same, whether or not such entire width is actually used for highway purposes.
12. 'Native soil' means the compacted native material.
13. 'One-call notification system' or 'systems' means an association providing for mutual receipt of notification of construction activities in the city.
14. 'Overhead structure' means any structure, other than utility facilities authorized by State or local franchise, extending over the dedicated portion of the highway, including canopies but excluding such projections from buildings as may be enumerated in the 'Building Code' set out in Title 14 of this code.
15. 'Overload' means any object or thing which, when transported by a vehicle or combination of vehicles over, upon, along or across any highway would be required to have a special permit in accordance with the provisions of the Vehicle Code, and includes but is not limited to any house, vessel, machine, equipment, transformer, tree, girder, boat or airplane.
16. 'Overload Moving contractor' means any person who for himself or for another, moves or causes to be moved any overload over, upon, along or across any highway.
17. 'Overload Vehicle' means a vehicle or combination of vehicles as described in the Vehicle Code which:

A. Whether laden or unladen is required by the Vehicle Code to have a special permit to be on any highway; or

B. Is so laden that it is required to have such special permit.

18. 'Pavement' means the surfaced portion of the highway which is composed of various size aggregates mixed with portland cement and/or asphaltic compounds.

19. 'Permittee' means a person issued a permit pursuant to this chapter and performing work pursuant to said permit.

20. 'Person' includes any individual, firm, co-partnership, joint venture, association, corporation, estate, trust, business trust, any district, any county, any city, and all departments and divisions thereof except this city.

21. 'Roadway' means that portion of a highway improved, designed or ordinarily used for vehicular traffic.

22. 'Section' means a section of the ordinance codified in Title 11 unless some other ordinance or statute is specifically mentioned.

23. 'Shall' is mandatory; 'may' is permissive.

24. 'Vehicle Code' means the state of California Vehicle Code in effect at the time of issuance of a permit.

25. 'Width' means that dimension measured at right angles to the anterior-posterior axis of the conveyance upon which the load or portion thereof is, or is to be, loaded or moved, or to the median line of the highway over which the same is being or is to be moved.

#### **11.08.030 Permit – Prerequisite to commencement of certain work.**

A. Every person, except as otherwise provided in this Chapter, is required to obtain a permit from the Director before:

1. Moving or causing to be moved over, along or across any highway any overload or overload vehicle;
2. Making or causing to be made any excavation or encroachment in any highway;
3. Placing, changing, renewing or abandoning a facility or encroachment;
4. Placing, planting or replanting any tree, sapling, bush, shrub, foliage or other material of similar nature in, over or along any highway;
5. Placing, constructing or repairing any curb, gutter, sidewalk, driveway, pavement, base course, retaining wall, storm drain, culvert, or other work of similar nature in, over, along, across or through any highway;
6. Constructing, reconstructing, repairing or maintaining any overhead structure or other appurtenant facility;
7. Constructing, reconstructing or repairing any highway light or highway lighting system in any highway or in any privately owned thoroughfare which is open to public travel; this subsection does not apply if any agreement with the city exists for the construction, reconstruction or maintenance of such installation;
8. Placing or leaving any impediment to travel upon any highway.

#### **11.08.040 Commencement of work without permit – Permit required.**

A. Any person who shall commence any work for which a permit is required by this chapter without first having obtained a permit therefor shall immediately stop work and apply for such permit.

B. Nothing in this chapter prohibits any person from maintaining by virtue of law, ordinance or permit, any facility or encroachment in any highway, or from making such excavation as may be necessary for the preservation of life or property if the person making such excavation applies for a permit no later than the next business day.

**11.08.050 Applicability of provisions to non-permittees.**

Whenever the provisions of this chapter require a permittee to perform any work, take any action or be liable for any fees or costs, such requirement also applies to any person who commences any work for which a permit is required by this chapter, whether such person obtains such permit or not.

**11.08.060 Permit – Availability for inspection.**

The permittee shall make the permit available for inspection by the Director or by any peace officer or other person having responsibility for safety or maintenance of the highway. Each permit for overload moving must be in or on the overload vehicle or combination of overload vehicles to which it refers.

**SUBCHAPTER II. APPLICATION FOR PERMIT; PERMIT ISSUANCE; FEES AND COSTS; PERMIT DENIAL AND REVOCATION; BILLING FOR COSTS**

**11.08.070 Application – Form.**

Application for a permit shall be made in writing to the Director, on the forms provided by the Director. The Director may make such reasonable changes or additions to any application as are necessary to implement the provisions of this Chapter.

**11.08.080 Application – Information required.**

An applicant for a permit shall state in the application: name, address, and such other information as is required by this chapter or by the Director as he may reasonably require to determine compliance with this chapter.

**11.08.090 Application – Liability and Relocation Statements required.**

A. On each application the applicant or his agent shall sign a statement agreeing to indemnify, defend and hold harmless the city and each officer, official, agent and employee thereof from any liability or responsibility for any accident, loss or damage to persons or property happening or occurring as a proximate result of the applicant's activities pursuant to the permit applied for.

B. Every application shall also contain a statement, signed by the applicant or his agent, that if any facility or encroachment placed in the excavation or the facility or encroachment for which a permit is issued interferes with the future use of the highway by the general public, then the applicant and his successors or assigns will at his own expense remove or relocate to a location satisfactory to the Director such facility or encroachment. The statement signed by the applicant will not apply in cases when the applicant has an easement superior to

the highway easement at the time of application and can furnish evidence when required of such superior easement.

**11.08.100 Application – Plans or plats prepared by engineer required when.**

A. If, in the opinion of the Director, the work proposed to be done requires the making of plans or the setting of stakes, or both, the Director may require the application be accompanied by the necessary plans, which plans shall be prepared by a licensed or certified engineer.

B. Each applicant for an excavation or encroachment permit shall file with the application a plat showing the highways in which the proposed excavation, facility or encroachment will be placed, together with the exact location and dimensions of the proposed excavations, or the specifications and characteristics of the facility or encroachment, together with any other details which the Director reasonably requires. When excavations are made for service connections or for the location of trouble in conduits, cable or pipe, or for making repairs thereto, the Director may waive the filing of a plat. Approved plats shall become public records.

C. Each applicant for a permit to abandon in place or remove any facility or encroachment in the highway shall do so under the terms and conditions prescribed by the Director. The permit application shall include a plat or other suitable means describing the facility or encroachment to be abandoned or removed, and indicating its exact location.

**11.08.110 Application – Information Re: Overhead structures or encroachments.**

The Director may require evidence to be submitted with the application that any proposed overhead structure or encroachment will not create a hazard of any kind to persons or property.

**11.08.120 Permits – Issuance/Denial/Revocation.**

A. If the applicant complies with every applicable provision of this Chapter and any other applicable ordinances and statutes, the Director shall issue to the applicant a written permit to perform the work set forth in the application, unless the Director finds that issuance of the permit will constitute a hazard to public health, safety or welfare.

B. The Director may deny a permit when the work authorized by the permit or such portions thereof is included in the proposed work to be done by any proposed assessment district for which proceedings have been initiated by the city council.

C. The Director may revoke a permit if the activity therein permitted is not commenced within the time specified in the permit, unless said date is extended by the Director.

D. The Director may revoke a permit if the permittee fails to comply with any applicable provisions of this chapter or the conditions established for the permit.

E. The Director shall notify a permittee of the Director's decision to deny or revoke a permit and the reason for the denial or revocation. The notice shall be provided to the permittee by personal service, by first class mail or by facsimile machine to the address or facsimile number provided on the permit on file with the Public Works Department. Notices made pursuant to this subsection shall be deemed served and effective upon the date the notice is provided in person or by facsimile machine, or two calendar days after sending by first class mail.

F. Upon any permit revocation, the permittee shall immediately restore the highway to the Director's satisfaction. If the permittee fails to do so, the Director may restore the

highway at the expense of the permittee or charge the costs against any security posted by the permittee with the City.

**11.08.130 Permits – Appeal of Director’s Decision.**

The Decision of the Director may be appealed as provided in Chapter 11.54.

**11.08.140 Permits – Period of validity to be specified – Extension.**

Each permit shall specify the time the permit shall expire and the permit shall become null and void on the date so specified unless the Director extends the time. The Director may extend the time if in his opinion the work for which the permit was issued was delayed in completion because of inclement weather, strikes, an act of God, or other causes not within the control of the permittee.

**11.08.150 Blanket permits.**

Blanket permits, renewable annually, may be issued for multiple activities or work subject to the compliance with all applicable provisions of this Chapter. The issuance of a blanket permit does not relieve the permittee from making such reports of activity under the blanket permit as may be required by the Director and for paying for inspection, repairs and other costs incurred by the Director due to the permittee’s activities.

**11.08.160 Permits – Not transferable.**

Permits issued under this Chapter are nontransferable to other persons, projects or locations.

**11.08.170 Issuance Fee.**

A. All persons, except as otherwise specified in this Chapter, shall pay an issuance fee prior to receipt of a permit. The issuance fee shall be established from time to time by resolution of the city council. The following shall be exempt from paying the issuance fee: the United States, the State of California, all departments of the city, and all departments of the county of Los Angeles.

B. The Director may waive the permit issuance fee if the Director finds that the work is to be done under contract with the city in connection with proposed public works.

C. At the request of a permittee who maintains with the Director adequate security, as provided in this Chapter, and to whom 10 or more permits have been issued monthly for 3 consecutive months, the Director may waive the requirement for prepayment of issuance fees, and bill said permittee for issuance fees covering permits issued subsequent to such request. The Director may revoke such billing arrangements at any time.

**11.08.180 Unit fees for highway permit inspection costs - Exception.**

A. Unit fees for highway permit inspection costs shall be established from time to time by resolution of the city council and shall be payable prior to issuance of a permit. If no such unit fees are set by resolution, the unit fees shall be based upon the estimated cost for such inspection.

B. The Director may issue a permit without any highway permit inspection fee if the permittee furnishes evidence to the Director that a qualified governmental agency inspector

outside the City will inspect the work and ensure that the work will comply with minimum standards required by this chapter.

C. If the governmental agency inspector fails to make the inspection pursuant to subsection (B) or fails to file evidence as required with the City, the Director may inspect the work and the permittee shall pay the actual cost for such inspection.

**11.08.190 Costs related to permit – Permittee liability.**

The permittee shall also be liable for and shall pay for all the Director's costs related to the following:

- A. Engineering, which includes design, survey and tests;
- B. The cost of repairing or restoring the highways and all appurtenant facilities to the same or equal condition that they were in before being cut or damaged as a result of the permittee's activities;
- C. The cost of furnishing and/or maintaining any lights, barricades or warning devices;
- D. The cost of alteration, removal, replacement and/or repair to traffic signals and devices, the removal of temporary and/or permanent traffic striping and markings, and any other expenses for traffic control;
- E. The cost of removing or remedying any hazardous condition;
- F. The cost of tree trimming;
- G. Any other costs to the city caused by the permittee's activity.

**11.08.200 Computation of costs.**

Whenever in the provisions of this chapter any costs are to be charged to any permittee and no other method for the calculation of such costs is specified, such costs are the actual costs, including overhead and depreciation, in accordance with current practices in charging for work performed for the public.

**11.08.210 Billing for all chargeable fees and costs.**

A. The Director shall bill the permittee for all fees and costs chargeable under this chapter.

B. If, within 30 calendar days after a bill has been sent, the permittee does not pay same in full, such amount may be deducted from any deposit or security made by the permittee pursuant to Sections 11.08.220 through 11.08.240 of this chapter. If the deposit or security is insufficient to pay the amount due, the city may pursue collection of the remaining amount due by all means at law or equity.

C. The Director may deny issuance of further permits to the permittee and may hold any deposits or security of the permittee as long as any bill remains unpaid by the permittee.

**SUBCHAPTER III. DEPOSITS AND SECURITY**

**11.08.220 Cash deposit or other security required – Exceptions.**

A. As a condition to issuance of a permit, every permittee, unless exempt by this chapter or other applicable law, shall be required to provide a cash deposit or other adequate security, as determined by the Director, to guarantee payment of all fees and charges due under this chapter. The amount of the deposit or security shall be sufficient to recover all costs of any nature which the Director estimates will be incurred if the permittee does not fulfill its permit requirements.

B. A cash deposit or other adequate security is not required in the case of construction under contract with the city where a faithful performance bond is posted or other surety is deposited and assigned to the city which guarantees to the city the repair of the highway, including construction financed in whole or in part by special assessments.

**11.08.230 Cash deposit – Form and use conditions.**

A cash deposit may be in the form of a special deposit for each permit, or in the form of a general deposit to be maintained as security for all the permits issued to a permittee, including for blanket permits. If a permittee maintains a general cash deposit, it shall be with the understanding that the permittee will pay all bills sent by the Director for work covered by this chapter.

**11.08.240 Other security – Types acceptable.**

In lieu of a general cash deposit, the Director may accept from a permittee other types of security as specified below:

A. Surety Bond. The Director may accept a surety bond on a form supplied by the Director and executed by an “admitted surety insurer” authorized to make, guarantee or become a surety upon bonds by the State of California. The bond shall guarantee the payment of all fees and other charges required by this chapter which may become due because of any permits issued during the life of the said surety bond.

B. Insurance. As security on overload moving permits only, the Director may accept a certificate of insurance and endorsement on the standard forms provided by the Director. Such certificate and endorsement shall show that an insurance policy of not less than \$2,000,000.00 has been issued to the applicant and is in full force and effect, and in which policy the insurer directly agrees to reimburse the city for all sums due it from the permittee for damage to highway facilities.

C. Additional Securities. The Director may require additional security to be filed with the City in the event that he reasonably determines the original security filed with the City has become insufficient to pay all fees and other charges required by this chapter.

**11.08.250 Refund of deposits.**

A. The remainder of any deposit, if there is any remainder, shall be refunded to the permittee making such deposit once the Director is satisfied that all work pursuant to a permit has been satisfactorily completed and that the permittee is not liable for any further fees, costs or charges with regard to said work.

B. Any deposit made for highway inspection fees or any other unit fees may be refunded if it was erroneously collected or if the work was not constructed by the permittee.

**SUBCHAPTER IV. GENERAL CONDITIONS OF PERMIT ISSUANCE**

**11.08.260 Permit Work – Compliance with codes and Director’s orders required.**

A. Every person who commences any activity or work regulated by this chapter must comply with the provisions of this chapter, the provisions made part of any permit, and the specifications and all codes referred to by this chapter.

B. All persons shall obey and comply with every order, decision, direction or rule issued by the Director in the matters specified on the permit or any attachments to said permit,



and shall do everything necessary or proper to secure compliance therewith by all of its officers, agents and employees, except in the case of a public utility regulated by the Public Utilities Commission when such order, decision, direction or rule is contrary to or in conflict with any order, decision, direction or rule made or prescribed by the Public Utilities Commission applicable to such public utility.

C. A person shall not obstruct the Director in making any inspection authorized by this chapter or in taking any sample or in making any test.

**11.08.270 Permit – Additional Conditions for issuance.**

A. Every permit issued under this chapter for activity or work in, along, on, over, across or under the highway shall be granted subject to the right of the city or of any person entitled thereto, to use that part of such highway for any purpose for which such highway may lawfully be used. Proof of the applicant's right to use the highways for the purposes set forth in the application shall be filed with the Director.

B. The Director may establish additional requirements for the work to be done under any permit, including equipment to be used, type of backfill, compaction, paving, traffic regulations, hours of work, flagmen, lights, inspection, and other similar requirements. He also may require whatever advance notice he deems proper for requests for inspection. The Director may add these requirements and conditions by rubber stamp or attachments to the permit, or both, and they shall be an integral part thereof. If any of the requirements of the permit are violated, the Director may revoke the permit and require that a new permit be secured before further work is done.

**11.08.280 Permit Work – Standard Specifications for Public Works Construction and other specifications applicable.**

All work shall be performed in accordance with the current version of the Standard Specifications For Public Works Construction ("Greenbook"), or according to the plans and specifications referred to in the permit and, in addition, to any special requirements and/or specifications which are made a part of the permit by the Director. In case of conflict between two specifications, the more stringent specification shall apply.

**11.08.290 Permit Work – Safeguarding, restoration, completion and cleanup.**

Every person who commences any activity or work regulated by this chapter shall safeguard and complete the activity or work within the time set forth in the permit, unless that time is extended for good cause by the Director. Any part of the highway that is damaged, removed or disturbed shall be repaired, restored and replaced in a condition satisfactory to the Director. All surplus material of any kind shall be removed from the highway.

**11.08.300 Permit Work – Warning signs, lights and barricades – Requirements.**

Any person engaged in performing work regulated by this chapter which interferes with or endangers the safe movement of traffic shall have the work safeguarded by adequate warning signs, barricades, lights and devices. Such person shall be responsible for placing and maintaining adequate warning signs, barricades, lights and devices during all periods during which traffic movement is interfered with or endangered in order to promote the safe movement of traffic, including but not limited to periods of twilight, nighttime, fog and/or rain. All warning

signs, barriers, barricades, flags and other devices shall comply with or exceed the standards required in the Vehicle Code.

**11.08.310 Unauthorized highway work – Rehabilitation by city authorized when – Costs.**

Whenever the Director discovers work that is not authorized by a permit issued under this chapter, in order to promote the welfare, well-being and safety of the public traveling along or across any highway, the Director may do any work within the highways of whatever nature is required in the Director's opinion to reestablish conditions as they existed prior to commencement of unauthorized work done by any person within the highways and for which a permit has been obtained. The Director shall charge the cost of this rehabilitation to the person doing the unauthorized work and may also revoke a permit on this basis.

**11.08.320 Highway closure or use restriction authorized when.**

The Director may restrict the use of, or close, any highway whenever he considers such closing or restriction of use necessary:

- A. For the protection of the public;
- B. For the protection of such highways from damage during storms;
- C. During construction, improvement or maintenance operations thereon.

**11.08.330 Completion of Excavation – Notice to Director - Preservation of monuments.**

A. Upon completion of any excavation or encroachment, or completion of the cut or fill, the permittee shall so notify the Director in writing on a form prescribed by the Director. Whenever a plat is required pursuant to Section 11.08.100(B) and there were substantial deviations approved during the work from the dimensions or locations as shown on the plat, the permittee shall transmit to the Director a concise, 'as-built plat' upon completion of the work, showing the accurate location, depth and size of the facility or encroachment so laid, removed or abandoned.

B. Any monument set for the purposes of locating or preserving the lines of any highway or property subdivision, or a survey reference points, or a permanent survey or bench mark, shall not be removed or disturbed without first obtaining permission in writing from the Director.

**SUBCHAPTER V. LOCATION, EXCAVATION AND RELOCATION OF FACILITIES**

**11.08.340 Permit Work - Relocation of facilities or plantings – Procedures and costs.**

The permittee shall make proper arrangements for and, except as otherwise set forth herein, bear the cost of the relocation of any structure, facility, tree or shrub where such relocation is made necessary by the proposed work for which a permit is issued. The Director may elect to do the necessary relocation at the permittee's expense.

**11.08.350 Investigation and Relocation of Facilities owned by others within highways.**

A. The permittee shall investigate and be aware of all existing facilities lawfully within the highways which are within the limits of the permittee's activity. The permittee shall not interfere with any existing public or private facility without the consent of its owner. If it

becomes necessary to relocate an existing facility, this shall be done by its owner or to the satisfaction of its owner.

B. The cost of locating, exposing, moving or relocating publicly and privately owned facilities shall be borne by the permittee unless the permittee makes other arrangements with the owner of the facility or unless the owner is required by its franchise or agreement to relocate the facility without cost.

C. The permittee shall support and protect all facilities by a method satisfactory to the owner. The owner has the right to support or protect any of its facilities at the sole expense of the permittee. In case any of said facilities should be damaged, they may be repaired by the owner at the expense of the permittee or, if authorized by the owner, may be repaired by the permittee under the supervision of the owner. The expense of repairs to any damaged facilities shall be borne by the permittee.

#### **11.08.360 Investigation and Notification to owners - Underground facilities and excavations.**

Except with respect to emergency work to immediately protect the public and property, as determined by the Director, any permittee proposing to excavate in any highway shall make a search of available records of underground facilities and shall notify owners or operators known to have such underground facilities in the vicinity of the proposed excavation by telephone or other acceptable means of communications at least 48 hours prior to the time of the proposed excavation, exclusive of weekends or legal holidays. At such time as a one-call notification system is operational in the city, the permittee shall notify those owners or operators who are members of the system by notifying the system by telephone or other acceptable means of communication at least 48 hours prior to the time of the proposed excavation, exclusive of weekends or legal holidays. No permit shall be valid until permittee receives a 'ticket' number from the system acknowledging the notification, which number permittee shall enter upon the face of the permit. Said notification is an additional method to be used in determining underground facilities, and does not relieve permittee from the responsibility to assure that owners or operators of such facilities are notified. Any permittee shall likewise notify non-members of the system who are owners or operators of facilities in the vicinity of the proposed excavation. Any person receiving notice pursuant to this chapter shall, not less than one working day in advance of proposed excavation inform the permittee of or field mark the location of any underground facility in the proposed area of excavation, unless otherwise agreed to between said person and permittee.

#### **11.08.370 Investigation – Location of Pipelines carrying hazardous substances.**

A. Prior to making any excavation within the construction area where a pipeline known to carry a hazardous substance exists, no permittee shall excavate until the pipeline has been located by potholing or other proven acceptable methods at intervals sufficient to determine its exact location. The permittee shall arrange with the owner to locate or expose private and public pipelines. Abandoned or inoperative pipelines designed to carry hazardous substances shall be considered as carrying hazardous substances until determined otherwise by the Director.

B. In no case shall the intervals between potholes or the location by proven acceptable methods exceed the distance set forth as follows:

1. Excavations for Highway Construction. The pipeline shall be located at intervals not greater than 25 feet for lines less than 8 inches in diameter, 50 feet for lines of 8 inches through 24 inches in diameter, and 200 feet for lines greater than 24 inches in diameter.

2. Trench Excavation.

a. Longitudinal Pipelines. All longitudinal pipelines in the construction area of the highway shall be located at intervals not greater than 500 feet. If determined to be within 6 feet of the excavation, it shall be further located at intervals not greater than 25 feet for lines less than 8 inches in diameter, 50 feet for lines of 8 inches to 24 inches in diameter, and 100 feet for lines greater than 24 inches in diameter.

b. Transverse Pipelines. If the location of the pipeline is above or less than 6 inches below the facility being installed, it shall be carefully hand-tool exposed before excavating. If its location is 6 inches or more below the facility, it need only be located.

**11.08.380 Excavation Restrictions – Pipelines carrying hazardous substances.**

A. After it is determined that the horizontal or vertical clearance between the pipeline known to carry hazardous substances and the construction limits is less than 12 inches, or 18 inches if scarifying, the permittee shall confer with the owner. Unless the owner elects to relocate, abandon or take the pipeline out of service, the permittee shall excavate until the pipeline has been completely hand-tool exposed within the limits of construction.

B. Once the physical location of the pipelines known to carry hazardous substances has been determined, as above described, the permittee doing the excavation, in cooperation with and with the concurrence of the owner and the Director, shall determine how to protect the pipeline from damage before proceeding with his work.

**11.08.390 Investigation and Notice when unidentified utilities are located.**

Each permittee excavating in the highway shall notify the owner, the Director and any public agency maintaining records for the jurisdiction of the owner, if known, whenever previously unidentified or unknown utilities or underground facilities are encountered so that the location can be accurately established and made a part of the permanent substructure records.

**SUBCHAPTER VI. COMPLETION OF WORK; LIABILITY FOR DAMAGE –  
RESTORATION OF HIGHWAY AND FACILITIES**

**11.08.400 Certificate of acceptance for completed work.**

If the Director, by survey or by inspection or by both, ascertains that the work has been completed according to the requirements of the permit issued therefor, and of all the provisions of this chapter, he shall issue, if requested so to do by the permittee, a certificate of acceptance which shall contain a statement of the location, nature, and extent of the work performed under the permit.

**11.08.410 Permittee liability for damage or injury.**

The permittee shall indemnify, defend and hold harmless the city, its officers, officials, agents, and employees of and from any and all liability or responsibility for any property damage or loss, or injury or death to any person arising out of or occurring as the proximate results of any of the work undertaken pursuant to this chapter.

**11.08.420 Restoration of highway surfaces.**

A. Upon completion of the permittee's activity, the Director, at his option, may require the permittee to restore that portion of the highway facilities damaged by the permittee's activity or the Director may elect to do such restoration himself, at the permittee's cost.

B. Where pavement has been removed, the permittee shall replace it to a thickness 1 inch greater than that of the surrounding pavement or surface, and in no event to a thickness of less than 2 inches.

C. The base course removed shall be replaced to the same thickness as that of the surrounding base course.

D. When the street surface has been treated with a seal or slurry prior to the work under the permit, the seal and/or slurry shall be replaced upon the portion repaired.

E. When the structural section removed varies from or exceeds the average existing section, the Director may require the replacement of an equivalent section which would meet the average structural section requirements.

F. In those instances where the permittee's excavation is within an area of highway to be reconstructed by the city and the resurfacing of the excavation is an integral part of the general city improvement, the Director may waive such resurfacing.

G. If at any time subsequent to the first repair of a highway surface it becomes necessary again to repair such surface due to settlement or any other cause directly attributable to permittee's activity, the permittee shall pay to the Director the cost of such additional repairs or the permittee shall make the required repairs, at the Director's discretion.

**11.08.430 Failure to comply with regulations – City to perform work when – Costs.**

When any work authorized by a permit under this chapter does not comply with the terms or specifications of said permit or with any provision of this chapter, or when any highway facility has been damaged and the person responsible fails or refuses to repair or restore as required by any permit or this chapter; then the Director with his own forces or otherwise may cause such to be corrected, completed, repaired, restored, removed and/or maintained. The person responsible shall pay for any and all costs incurred by the city.

**SUBCHAPTER VII. SPECIAL CONSTRUCTION STANDARDS - DRIVEWAYS**

**11.08.440 Driveways – Concrete construction required when.**

Driveways shall be constructed of cement concrete where a cement concrete curb exists.

**11.08.450 Driveways – Location restrictions.**

A driveway shall not be constructed or maintained where fences, buildings, natural grade or any other obstacle will prevent a vehicle from being stored entirely off the public right-of-way after entering such driveway.

**11.08.460 Driveways – Width specifications.**

The width of an individual driveway shall be considered as being the net width thereof, exclusive of side slopes and returns, measured along the line of the curb or centerline of the highway. The net width of an individual driveway shall be not less than 10 feet and shall not exceed in width:

A. 20 feet if the driveway serves only residences or apartments;

- B. 20 feet for mixed-use or non-residential lots or parcels of land less than 100 feet wide;
- C. 30 feet or 20 percent of the frontage of the lot or parcel of land, whichever is greater, but not to exceed 60 feet, when the driveway serves mixed-use or non-residential uses on a lot or parcel of land not less than 100 feet wide.

**11.08.470 Driveways – Aggregate width limitations.**

The aggregate width of the total number of driveways serving any single lot or parcel of land from any one highway shall not exceed:

- A. 40 percent of the frontage, if the driveway serves only residences or apartments;
- B. 60 percent of the frontage in all other cases.

**11.08.480 Driveways – Minimum intervening distance.**

The minimum intervening distance between the side slopes or returns of adjacent driveways serving the same lot or parcel shall be 22 feet. In the case of adjacent driveways serving two adjoining lots or parcels, the intervening distance between the side slopes or returns shall be and the adjacent property line shall be at least 1 foot; otherwise a common or continuous driveway will be required.

**11.06.490 Driveways – Prohibited in certain locations.**

- A. A driveway including the side slopes, shall not be constructed:
  - 1. Between the prolonged intersecting property lines of any highways; or
  - 2. Between the points of curvature of any curb return having a radius of 20 feet or less.
- B. In applying the provisions of this section, the condition producing the greater length of curb between the specified control points in the particular case shall govern.

**11.08.500 Driveways – In curb return curvature – Limitations.**

- A. A driveway, including the side slopes, shall not be constructed between the points of curvature of any curb return except:
  - 1. In the case of a curb return having a radius of 25 feet or more, driveways may encroach at each end thereof for a distance of not greater than one-eighth of the total arc length of return, leaving in the clear at least three-quarters of such arc length, if such encroachment does not conflict with other requirements of this section.
  - 2. In the case of a curb return having a radius of less than 25 feet but more than 20 feet, the maximum permissible encroachment at each end of the return, subject to other requirements of this section, shall be that proportion of one-eighth of the total arc length that the difference between the length of the radius and 20 feet bears to five.

B. Notwithstanding any of the foregoing provisions, a driveway shall not encroach on any curb return beyond or ahead of any traffic-regulating device located on or adjacent thereto.

**11.08.510 Driveways – Deviation from requirements authorized when.**

Where topographical or traffic conditions are such that a modification of the provisions of Sections 11.08.440 through 11.08.500 are necessary for the promotion of traffic safety and the Director so finds, he may permit a deviation from the provisions of such sections to the extent which he finds necessary.

SUBCHAPTER VIII. SPECIAL CONSTRUCTION STANDARDS – UNDERGROUND  
PIPELINES

**11.08.520 Pipelines carrying hazardous substances – Membership in one-call notification system required.**

When a one-call notification system is operational in the territory of the city, no person shall maintain and operate a pipeline designed to carry hazardous substances below the surface of a highway unless said person is a member of the system. Such person shall provide to the Director such proof as required that said person is a member of the system in Los Angeles County.

**11.08.530 Underground pipelines – Minimum depth of cover.**

Except as provided in Section 11.08.580, the following minimum depths of cover below existing, finished or proposed gutter grade shall be required for all underground pipelines in the roadway area:

A. Local Streets.

1. 24 inches for service pipelines;
2. 30 inches for pipelines transporting nonhazardous substances;
3. 30 inches for all electrical facilities;
4. 42 inches for all pipelines transporting hazardous substances.

B. Major Arterials.

1. 24 inches for service pipelines;
2. 36 inches for pipelines transporting nonhazardous substances;
3. 42 inches for electrical facilities;
4. 42 inches for pipelines transporting hazardous substances.

**11.08.540 Pipelines carrying hazardous substances – Pressure test specifications.**

A. After initial installation under this Chapter of any pipeline used or to be used to carry hazardous substances, such pipeline shall be subject to a hydrostatic pressure test as provided herein before it is placed in operation. The duration of the hydrostatic test for this purpose shall not be less than 24 hours.

B. After repair or replacement of any pipeline used or to be used to carry hazardous substances, the affected portion of the pipeline shall be subjected to a hydrostatic pressure test as provided herein before placing in operation. The duration of the hydrostatic test for this purpose shall be not less than 24 hours. However, no such test is required for a minor repair which does not require removal of the pipeline from operation. If the affected section is isolated and tested hydrostatically, pressure test of the tie-in welds is not required; however, tie-in welds shall be examined by radiographic means.

C. No pipeline subject to this Chapter used or to be used to carry hazardous substances and over 10 years of age shall be operated beyond the successive ensuing 12-month period of time from the effective date of Ordinance No. 10-1987 unless retested annually by a hydrostatic pressure test or other test means acceptable to the Director. The duration of the periodic test, either initial or retest, shall not be less than 4 hours.

D. Each pressure test, either initial or retest, shall be in accordance with the American National Standard Institute's Code for Pressure Piping, Liquid Petroleum Transportation Piping Systems (ANSI B 31.4) in its latest revision. The Director may authorize the use of a liquid

petroleum that does not vaporize rapidly (flash point over 150 degrees Fahrenheit or 66 degrees Centigrade) as a test medium. Pressure tests after initial installation of pipelines and before they are placed in operation shall show no unexplained loss. Annual or retest pressure tests shall not show an hourly loss, for each section of the pipeline under test at the time, in excess of either 10 gallons, or the sum of one gallon and an amount computed at a rate in gallons per mile equivalent to one-tenth of the nominal internal diameter of the pipe.

E. The Director may grant administrative waiver or other relief to an owner or operator under this Chapter as to the periodic pressure testing of any pipelines as herein provided if owner or operator can demonstrate that such testing will cause the unreasonable unscheduled shutdown of plants, terminals, refineries or other facilities of which such pipelines constitute an integral part.

F. In addition to the foregoing requirements, any pipeline authorized by this Chapter and subject to pressure testing shall be subjected to a pressure test by the owner or operator at any time as may be required by the Director in the interest of public safety.

G. Within 30 calendar days after completion of any test made pursuant to the provisions of this Chapter, the owner or operator shall submit a certified report for the Director's review. The report shall show the date of test, description of portion of pipeline tested to include the identification of the right-of-way within which the pipeline is located, and the test data. The report shall be sufficient in detail to permit analysis of test results and determination of compliance with the applicable provisions of this Chapter or any other applicable ordinance, rule or regulation. The report shall also contain any other test information as may be specifically requested by the Director.

**11.08.550 Pipeline system – Isolation valves required when.**

Isolation valves shall be installed on each new main at locations along the pipeline system that will minimize damage from accidental product discharge. Said location shall be appropriate for terrain and the population density of the area.

**11.08.560 Pipelines carrying hazardous substances – Cathodic protection system required – Specifications.**

As provided in the American National Standard Institute's Code for Pressure Piping, Liquid Petroleum Transportation Piping Systems (ANSI B 31.4) in its latest revision, a cathodic protection system shall be installed for all new ferrous pipelines used to carry hazardous substances other than utility gases in order to mitigate corrosion deterioration that might result in structural failure. The cathodic protection system for all new ferrous pipelines carrying utility gases shall be installed in accordance with General Order No. 112-C of the Public Utilities Commission of the state of California. A test procedure shall be developed by the owner or operator to determine whether adequate cathodic protection has been achieved and submitted to the Director for approval. Reports of cathodic protection evaluation in accordance with such approved procedure shall be made available annually for review by the Director.

**11.08.570 Pipelines carrying hazardous substances – Emergency plan requirements.**

A. Each owner or operator of a pipeline used or to be used to convey hazardous substances shall have a written emergency plan approved and on file with the Director and City Fire Department. The plan shall be in accordance with the American National Standard



Institute's Code for Pressure Piping, Liquid Petroleum Transportation Piping Systems (ANSI B 31.4) in its latest revision.

B. The plan shall include but not be limited to the following elements:

1. A 'liaison' element for intercommunications between public agencies and pipeline owners or operators to provide for prompt coordinated remedial action, and the dissemination of information as to the location and ownership identification of pipelines based on the best available records and plans;

2. A 'spill contingency' element to limit the extent of accidental product discharge by which pipeline owners or operators shall involve themselves in a cooperative pipeline leak notification emergency action system;

3. A 'leak detection' element by which the pipeline owners or operators can monitor the flow of their product and can divert, reduce or stop the flow of said product at the first indication of a product leak;

4. A 'first-on-scene emergency containment' element, in cooperation with other pipeline owners or operators, to be utilized until arrival of the affected pipeline's owner's or operator's. 'First-on-scene' costs shall be borne by the owner or operator of the facility, and shall be reimbursed to the organization effecting the emergency containment.

**11.08.580      Underground cable television and telephone conduits in systems designed pursuant to special requirements of the Director.**

A minimum depth of cover of 18 inches below existing or proposed edge of gutter grade shall be permitted for cable television and telephone conduits, and to be placed in existing roadways as follows:

A. Mainline cable conduit in a 4- to 5-inch wide trench located adjacent to the concrete gutter or 3 feet from the edge of the curb if no gutter exists.

B. Service cable conduits crossing the roadway from the mainline to serve users on the opposite side of local streets when installed by an acceptable boring method.

**11.08.590      Lines for television or audio signals – Undergrounding required when.**

The Director shall require all lines for the transmission and distribution of standard television or audio signals to be placed underground in highways when all power and telephone lines are underground, and shall also require underground installation in all instances except where the applicant provides satisfactory proof or permission to use existing pole lines or where the Director finds that other conditions render underground installation impractical or infeasible. Permission to remove or disturb such monuments, reference points or bench marks shall only be granted upon condition that the person applying for such permission shall pay all expenses incident to the proper replacement of the monument by the Director or owning agency.

**11.08.600      Abandonment or removal of facilities or encroachments – Specifications.**

A. Permission to abandon a facility or encroachment without removing shall be subject to removal within one year after the effective date of the abandonment if the facility or encroachment may interfere with a present or future public improvement. If it is determined that the facility or encroachment should be removed, the permittee or its successors in interest shall remove it at its expense or pay city for the cost of such removal. Permittee shall leave any abandoned facility or encroachment in a safe condition.

B. In addition to the foregoing, abandonment in place of a pipeline used to convey hazardous substances will be subject to the following requirements:

1. The pipeline shall be thoroughly purged of liquids and vapors and filled with an inert material that will remain in a solid or semisolid state if any portion of the pipeline is cut or removed in the future;

2. The permittee shall file a certificate with the Director that said requirements have been complied with and the abandoned pipeline has been left in a safe condition.

#### SUBCHAPTER IX. OVERLOAD MOVING REGULATIONS

##### **11.08.610 Overload Moving permit – Relocation permit required for certain buildings.**

In all cases where the Building Code, as set out in Title 14 of the Covina Municipal Code requires the owner of any premises to which it is proposed to move any building or structure to obtain a relocation permit, the Director shall not grant an overload moving permit to move such building or structure until the applicant furnishes to the Director evidence that such owner has also obtained a relocation permit.

##### **11.08.620 Overload Moving permit – Issuance conditions for overweight loads.**

The Director shall not issue an overload moving permit when the weight of the load, plus the weight of the vehicle or other equipment, exceeds the weight permitted by the Vehicle Code, except that if it appears to the Director that the size, shape or physical characteristics of the load, or portion thereof, to be moved make it impossible or impracticable to keep within such weight limits, the Director may issue a permit to move a load on an overload vehicle every wheel of which is equipped with pneumatic tires where the Director has determined that such movement will not cause injury to the highways, bridges, and appurtenances installed therein or thereunder.

##### **11.08.630 Overload Moving permit – Director's authority to issue and set conditions.**

The Director is authorized to issue or withhold the overload moving permit, as he reasonably determines in the interests of public safety, traffic circulation and proper maintenance of the highway. If an overload moving permit is issued, the Director is further authorized to limit the number of trips, or to establish seasonal or other time limitations within which the overload vehicle or vehicles described may be operated on the highways indicated, or otherwise to limit or prescribe conditions of operation of the overload vehicle when necessary to assure against undue interference with traffic or damage to the road foundations, surfaces or structures, and may require the undertaking of other security measures as may be deemed necessary to protect the highways and bridges from injury, or to provide indemnity for any injury resulting from the operation of the vehicle. The Director may require that the moving of any overload or overload vehicle be under the supervision of an inspector to be appointed by the Director. The costs of any inspector shall be borne by the permittee.

##### **11.08.640 Overhead facilities – Overload Moving permit information available to operator – Procedure.**

Any person lawfully operating or maintaining overhead facilities across any highway in the city who desires information pertaining to any overload moving permits issued for the moving of a building of 18 or more feet in height shall file a written request with the Director. The Director shall make such information available to the requesting person. The Director shall

not allow the moving of a building for a period of 48 hours after the filing of an overload moving permit application in order to allow such person time to inspect the route the permittee intends to take. In the event the permittee needs to make any change in the route set forth on the permit, said permit shall be void until the overload moving contractor has obtained an approved change in the route.

**11.08.650 Facilities within highways – Overload Moving contractors and utility facilities.**

No overload moving contractor shall interfere in any manner whatsoever with any facilities or property of any public utility. When any overload is moved along or across any highway, and it is determined that the height, width or weight of said overload exceeds the height, width or weight as stated in the permit, and property damage results therefrom, the Director is authorized to withhold any further overload moving permits from the violator until the violator produces evidence satisfactory to the Director that each additional overload complies with all dimensions and weights as shown upon the application, that the overload will not interfere with any facilities or public utility, and that the violator has made arrangements satisfactory to the Director to repair such property damage.

**11.08.660 Runway required under wheels of moving vehicles.**

When so required by the Director, an overload moving contractor shall place under each dolly or wheel used in moving a building or structure, or under each wheel of an overload vehicle, boards or planks of adequate width and strength to carry the overload without being broken, to serve as a runway for such dolly or wheel during such moving along or across any portion of any highway which has a surface other than natural soil. The overload moving contractor shall prevent such dolly or wheel from ever revolving on or resting on such surface except upon such board, plank or runway.

**11.08.670 Copy of permit required on each part of shipment.**

If a building or structure is moved in more than one section, and more than one of such sections is moved at the same time, the overload moving contractor shall affix and maintain at all times in conspicuous places on each section on which the original overload moving permit is not affixed, true copies of such permit.

**SUBCHAPTER X. OVERHEAD STRUCTURES**

**11.08.680 Minimum height over highways.**

Each overhead structure which extends over the portion of a highway used by vehicles shall be not less than 15 feet above the highest portion of the highway surface. If the Director finds that traffic conditions are such that it is necessary for highway safety for such structure to be at a greater height, then such structure shall be at such greater height as specified by the Director.

**11.08.690 Doorway shelters.**

Each overhead structure used primarily for a covered shelter for ingress or egress into a doorway shall not exceed 10 feet in width and shall have a vertical clearance of not less than 8 feet at every point. Each structure shall be supported on metal posts on a line two feet back from

the face of the curb, if any, otherwise from the edge of the portion of the highway designed for use by motor vehicles, and shall be constructed in such a manner that no portion thereof shall extend toward the roadway more than 6 inches beyond the metal posts.

**11.08.700 Awnings.**

A. Moveable awnings or hoods may have combustible coverings supported on frames attached to any building in the city.

B. No awning or hood shall extend over a public sidewalk for more than two-thirds the distance from the property line to the nearest curb line in front of the building site, or from the property line to the edge of the street pavement if a curb is not present.

C. The lowest part of any moveable awning or hood frame shall not be less than seven and one-half feet above the ground immediately below. The lowest part of any fringe or covering attached to such awning or hood shall not be less than seven feet above the grade immediately below.

D. The lowest part of any permanent, non-movable awning or hood shall not be less than 8 feet above the ground immediately below.

**11.08.710 Permit allows maintenance of structures – Exception.**

Any permit to erect or maintain an overhead structure shall be treated as and deemed to be a permit to maintain such structure until expiration or revocation of the permit. This section does not apply to agencies operating under an approved city-awarded franchise.

**11.08.720 Removal of structures following permit expiration or revocation.**

Upon the effective date of the expiration or revocation of the permit, the person maintaining the overhead structure shall remove same, and restore any highway facility damaged or removed.

SUBCHAPTER XI. VIOLATIONS

**11.08.730 Acts constituting misdemeanors designated.**

Every person who performs any work regulated by this chapter, either without first obtaining a permit therefor from the Director or who, having a permit, fails or refuses to comply with any applicable provisions of this Chapter or with any condition of the permit, is guilty of a misdemeanor, and is guilty of a separate offense for every day during any part of which such violation occurs.”

**Section 3:** Chapter 11.12 is hereby added to Title 11 of the Covina Municipal Code and shall read as follows:

“CHAPTER 11.12

ROLL-OFF DEBRIS CONTAINERS ON HIGHWAYS

Sections:

11.12.010 Permit – Required.

- 11.12.020 Definition – Permitted roll-off debris container.
- 11.12.030 Permit – Application
- 11.12.040 Permit – Issuance.
- 11.12.050 Permit – Fee.
- 11.12.060 Identification and warning devices required.
- 11.12.070 Roll-off debris container – Condition.
- 11.12.080 Roll-off debris container – Prohibited use.
- 11.12.090 Roll-off debris container – Restrictions on placement.
- 11.12.100 Indemnification and insurance.
- 11.12.110 Permittee responsible for damage.
- 11.12.120 Violations.
- 11.12.130 Impoundment.
- 11.12.140 Revocation of permit.
- 11.12.150 Notices.
- 11.12.160 Appeal.
- 11.12.170 Violation – Penalty.
- 11.12.180 Remedies cumulative.

**11.12.010 Permit – Required.**

No person shall place or cause to be placed any roll-off debris container on or projecting onto any portion of any highway without a permit issued pursuant to this chapter.

**11.12.020 Definition – Roll-off debris container.**

A roll-off debris container is any container of one cubic yard in size or greater placed on or projecting onto any highway that is used for the collection and temporary holding of construction, demolition or lot clearing debris and waste.

**11.12.030 Permit – Application.**

The Director shall establish an application form for a roll-off debris container permit. Each application submitted to the Director for his consideration shall be accompanied by a permit fee and proof, if applicable, of a valid department of health services waste collection permit.

**11.12.040 Permit – Issuance.**

Upon the Director's review of a complete application for a roll-off debris container permit and the payment of all applicable fees, the Director may issue the permit, if he reasonably determines that the placement and use of the roll-off debris container will not adversely affect public safety, traffic circulation and proper maintenance of the highway. Subject to the conditions contained in the permit, the provisions of this chapter and all other applicable laws, a valid permit will allow the placement of a roll-off debris container on a highway. A roll-off debris container permit shall expire upon the date noted within the permit but in no case later than one year from the date of issuance.

**11.12.050 Permit – Fee.**

Roll-off debris container permit fees shall be established from time to time by resolution of the City Council.

**11.12.060 Identification and warning devices required.**

Every permitted roll-off debris container shall have the following clearly displayed and visible on its exterior surface:

A. The permittee's name and telephone number (including area code) in print at least two inches in height;

B. 3-inch diameter reflectors, placed on the four corners of each side of the roll-off debris container facing traffic. The lower reflectors shall be between 3 and 4 feet above the ground and vertically aligned with the upper reflectors. The reflectors must be clearly seen when illuminated by vehicle headlights. The permittee shall replace any worn or missing reflectors so as to conform with the requirements of this section.

**11.12.070 Roll-off debris container – Condition.**

A permitted roll-off debris container shall be maintained in good condition. The area immediately surrounding a permitted roll-off debris container shall be maintained in a clean manner, free from any trash or deleterious material.

**11.12.080 Roll-off debris container – Prohibited use.**

At no time shall any permitted roll-off debris container be used for the collection or storage of hazardous substances, materials or waste as defined by federal, state or local law.

**11.12.090 Roll-off debris container – Restrictions on placement.**

A. Permitted roll-off debris containers shall be secured in such a manner so as to prevent any movement other than during placement and removal.

B. Permitted roll-off debris containers shall not remain at any location on a highway for more than 7 consecutive calendar days unless specifically authorized in writing by the Director.

C. Permitted roll-off debris containers shall only be placed on or project onto highways within the limits of the projected property lines where the roll-off debris container debris is generated.

D. Permitted roll-off debris containers shall not be placed on or project onto any highway in such a manner as to constitute a hazard to pedestrians or vehicular traffic.

E. Permitted roll-off debris containers shall not be placed on or project onto any highway:

1. Within 15 feet of any crosswalk;
2. Within 15 feet of any street corner, fire hydrant or disabled access ramp;
3. On any portion of any sidewalk of any highway;
4. On highways with grades in excess of 6 percent;
5. Where clear space for the safe passage of pedestrians within the highway is reduced to less than 3 feet in width.
6. Where the roadway is reduced to less than 15 feet in width;
7. Where a motorist's ability to see traffic control devices such as stop signs, traffic lights, etc., is impaired;
8. Where the roll-off debris container will block or unreasonably interfere with access to neighboring property;
9. Where the sight distance of the roll-off debris container would be less than:

- a. 150 feet on highways posted with speed limits of 25 miles per hour or less;
- b. 345 feet on highways posted with speed limits greater than 25 miles per hour and up to 40 miles per hour;
- c. 680 feet on highways posted with speed limits greater than 40 miles per hour.

**11.12.100 Indemnification and insurance.**

As a condition of the issuance of a roll-off debris container permit, the permittee shall agree in writing to defend, indemnify and hold the city harmless from and against any and all liability, expense, including defense costs and legal fees, claims and causes of action for damages of any nature whatsoever, including but not limited to, bodily injury, death, personal or property damage, arising from or connected with any act or omission of permittee, and any and all allegations involving the placing, maintaining and/or removing of roll-off debris containers placed on or projecting onto any portion of any highway. In addition, and without limiting the above obligation to defend, indemnify and hold harmless the city, the permittee shall, as a condition to obtaining a permit, present evidence of liability insurance providing minimum coverage of \$2,000,000 satisfactory to the Director, which insurance shall include the city of Covina as an additional insured. Each permittee shall maintain the required insurance during the life of the permit and whenever a roll-off debris container is placed on any portion of any highway. Failure to maintain the required insurance is grounds for immediate impoundment of the roll-off debris container.

**11.12.110 Permittee responsible for damage.**

The permittee shall be responsible for any damage to any part of any highway attributable to a roll-off debris container. The permittee shall repair, restore or replace any damage to any highway to the satisfaction of the Director.

**11.12.120 Violations.**

The Director may provide written notice to a permittee of a violation of any provision of this chapter by personal service, by first class mail or by facsimile machine, to the address or facsimile number provided on the permit on file with the Public Works Department. The notice shall also inform the permittee of those appeal rights set forth in Section 11.12.160 herein.

**11.12.130 Impoundment.**

The Director may immediately remove and impound any roll-off debris container placed on or projecting onto any highway in violation of this chapter if the violation is creating a dangerous or hazardous condition. Written notice of impoundment shall be provided to a permittee within 3 working days after the impoundment, either by personal service, by first class mail or by facsimile machine, to the address or facsimile number provided on the permit on file with the Public Works Department. If the roll-off debris container is not permitted, then such notice shall be provided to the person responsible for the placement of the roll-off debris container, if such person is known. The notice shall inform the permittee or the person responsible for placement of the roll-off debris container of how to reclaim the impounded container upon the permittee's or responsible party's payment of an impound fee as established from time to time by resolution of the City Council, plus any actual and reasonable additional

costs, if any, incurred by the City in impounding the container. The notice shall also inform the permittee of those appeal rights set forth in Section 11.12.160 herein. If the container is impounded for more than 30 calendar days after the date of the notice or, if appealed, more than 30 calendar days after the appeal becomes final, then the Director may cause the sale or disposal of the impounded container.

**11.12.140 Revocation of permit.**

The violation of any of the provisions of this chapter shall constitute grounds for the revocation of a permit. The Director shall notify a permittee of the Director's intention to revoke a permit and the reason for the revocation. The notice shall be provided to the permittee by personal service, by first class mail or by facsimile machine to the address or facsimile number provided on the permit on file with the Public Works Department. The notice shall also inform the permittee of those appeal rights set forth in Section 11.12.160 herein.

**11.12.150 Notices.**

Notices made pursuant to any section of this chapter shall be deemed served and effective upon the date the notice is provided in person or by facsimile machine, or two calendar days after sending by first class mail. The failure of any person to receive a notice shall not affect in any manner the validity of any proceeding or action under this chapter.

**11.12.160 Appeal.**

A permittee or person responsible for a roll-off debris container may appeal any denial of a permit or notice of the Director as provided in Chapter 11.54.

**11.12.170 Violation – Penalty.**

Any person who violates any provision of this chapter shall be guilty of a misdemeanor.

**11.12.180 Remedies cumulative.**

The remedies provided by any section of this chapter are cumulative to any other remedies authorized by this code or state law.”

**Section 4:** Chapter 11.16 of Title 11 of the Covina Municipal Code is hereby amended to read as follows:

“CHAPTER 11.16

UNDERGROUNDING OF UTILITIES”

Sections:

- 11.16.010 Definitions.
- 11.16.020 Hearing.
- 11.16.030 District designation.
- 11.16.040 Unlawful acts within districts.
- 11.16.050 Exceptions.
- 11.16.060 Exempt facilities.



- 11.16.070 Notice to property owners and utility companies.
- 11.16.080 Equipment furnishing responsibility.
- 11.16.090 Duty of property owner.
- 11.16.100 Duty of city to remove equipment.
- 11.16.110 Extension of time.

**11.16.010 Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section:

- A. 'Commission' means the Public Utilities Commission of the state of California;
- B. 'Poles, overhead wires and associated overhead structures' mean poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments and appurtenances located above ground within a district and used or useful in supplying electric, communication or similar or associated service;
- C. 'Underground utility district' or 'district' means that area in the city of Covina within which poles, overhead wires and associated overhead structures are prohibited as such area is described in a resolution adopted pursuant to the provisions of Section 11.16.030;
- D. 'Utility' includes all persons or entities supplying electric, communication or similar or associated service by means of electrical materials or devices.

**11.16.020 Hearing.**

A. The council may from time to time call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the city and the underground installation of wires and facilities for supplying electric, communication or similar or associated service. The Director shall notify all affected property owners, as shown on the last equalized assessment roll, and utilities concerned by mail of the time and place of such hearings at least 10 calendar days prior to the date thereof. Each such hearing shall be open to the public and may be continued from time to time. At each such hearing, all persons interested shall be given an opportunity to be heard. The decision of the council shall be final and conclusive.

B. Prior to holding such public hearing, the Director shall consult all affected utilities and shall prepare a report for submission at such hearing containing, among other information, the extent such utilities' participation and estimates of the total costs to the city and affected property owners. Such reports shall also contain an estimate of the time required to complete such underground installation and removal of overhead facilities.

**11.16.030 District designation.**

If, after any such public hearing, the council finds that the public necessity, health, safety and welfare require such removal and such underground installation within a designated area, the council shall, by resolution, declare such designated area an underground utility district and order such removal and underground installation. Such resolution shall include a description of the area comprising such district and shall fix the time within such removal and underground installation shall be accomplished and within which affected property owners must be ready to receive underground service. A reasonable time shall be allowed for such removal and underground installation, having due regard for the availability of labor, materials and equipment

necessary for such removal and for the installation of such underground facilities as may be occasioned thereby.

**11.16.040 Unlawful acts within districts.**

Whenever the council creates an underground utility district and orders the removal of poles, overhead wires and associated overhead structures therein as provided in Section 11.16.030, it is unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the district after the date when such overhead facilities are required to be removed by such resolution, except as such overhead facilities may be required to furnish service to an owner or occupant of property prior to the performance by such owner or occupant of the underground work necessary for such owner or occupant to continue to receive utility service as provided in Section 11.16.090, and for such reasonable time required to remove such facilities after such work has been performed, and except as otherwise provided in this chapter.

**11.16.050 Exceptions.**

Notwithstanding the provisions of this chapter, overhead facilities may be installed and maintained for a period not to exceed 30 calendar days without authority of the council in order to provide emergency service. The Director may grant special permission on such terms as the Director may deem appropriate, in cases of unusual circumstances, without discrimination as to any person or utility, to erect, construct, install, maintain, use or operate poles, overhead wires and associated overhead structures.

**11.16.060 Exempt facilities.**

This chapter and any resolution adopted pursuant to Section 11.16.030 shall, unless otherwise provided in such resolution, not apply to the following types of facilities:

- A. Any municipal facilities or equipment installed under the supervision and to the satisfaction of the Director;
- B. Poles or electroliers used exclusively for street lighting;
- C. Overhead wires (exclusive of supporting structures) crossing any portion of a district within which overhead wires have been prohibited, or connected to buildings on the perimeter of a district, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited;
- D. Poles, overhead wires and associated structures used for the transmission of electric energy at nominal voltage in excess of 34,500 volts;
- E. Overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location on the building to another location on the same building or to an adjacent building without crossing any public street;
- F. Antennas, associated equipment and supporting structures used by a utility for furnishing communication services;
- G. Equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts.
- H. Temporary poles, overhead wires and associated structures used or to be used in conjunction with construction projects.

**11.16.070 Notice to property owners and utility companies.**

Within 10 calendar days after the effective date of a resolution adopted pursuant to Section 11.16.030, the Director shall notify all persons owning real property within the district created by such resolution of the adoption thereof. The Director shall further notify such affected property owners of the necessity that, if they or any person occupying such property desire to continue to receive electric, communication or similar associated service, they or such occupant shall provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities at a new location, subject to the applicable rules, regulations and tariffs of the respective utility or utilities on file with the commission.

Notification by the Director shall be made by mailing a copy of the resolution adopted by Section 11.16.030, together with a copy of this chapter, to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities.

**11.16.080 Equipment furnishing responsibility.**

If underground construction is necessary to provide utility service within a district created by a resolution adopted pursuant to Section 11.16.030, the supplying utility shall furnish that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs on file with the commission.

**11.16.090 Duty of property owner.**

A. Every person owning, operating, leasing, occupying or renting a building or structure within a district shall construct and provide that portion of the service connection on his property between the facilities referred to in Section 11.16.080 and the termination facility on or within such building or structure being served, all in accordance with the applicable rules, regulations and tariffs of the respective utility or utilities on file with the commission.

B. In the event any person owning, operating, leasing, occupying or renting any such property does not comply with the provisions of subsection (A) of this section within the time provided for in the resolution enacted by Section 11.16.030, the Director shall post written notice on the property being served and 30 calendar days thereafter may authorize the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to such property.

**11.16.100 Duty of city to remove equipment.**

The city shall remove at its own expense all city-owned equipment from poles required to be removed hereunder in ample time to enable the owner or user of such poles to remove the same within the time specified in the resolution enacted pursuant to Section 11.16.030.

**11.16.110 Extension of time.**

In the event that any act required by this chapter or by a resolution adopted pursuant to Section 11.16.030 cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, civil disobedience or any other circumstances beyond the control of the actor, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitation.”

**Section 5:** Chapter 11.24 of Title 11 of the Covina Municipal Code is hereby amended to read as follows:

**“CHAPTER 11.24**

**HOUSE NUMBERING**

**Sections:**

- 11.24.010 Required.
- 11.24.020 Commercial, industrial and multi-family addresses.
- 11.24.030 Notice to owner or occupant.
- 11.24.040 Premises description.
- 11.24.050 Designation.
- 11.24.060 Location.
- 11.24.070 Size and material.
- 11.24.080 System generally.
- 11.24.090 Starting points or dividing lines.

**11.24.010 Required.**

All entrances from public streets of the city to buildings shall be numbered.

**11.24.020 Commercial, industrial and multi-family addresses.**

All commercial, industrial and multi-family building shall bear address numbers at each entrance, front and rear. This requirement shall apply even though such an entrance is from a private street, private parking lot, alley or walkway.

**11.24.030 Notice to owner or occupant.**

The Director shall give notice calling attention to this chapter by one publication of such notice in a newspaper published in general circulation in the city or by mailing it, postage prepaid, addressed to the occupant, lessee, tenant, subtenant or other person in control of the building, if the address of any such party is known to the Director or, if the address of any such party is not known to the Director, such notice shall be mailed, addressed to one of such parties at the City.

**11.24.040 Premises description.**

Within 10 calendar days after notice has been given as required by Section 11.24.030, the occupant, lessee, tenant, subtenant or other person in control of a building with an entrance from a public street shall furnish to the Director of Public Works a description of such premises as set forth in map and plans thereof recorded in the office of the county recorder.

**11.24.050 Designation.**

Upon receipt of the information required by Section 11.24.040, the Director shall designate the number for the premises covered thereby.

**11.24.060 Location.**

The number of each fronting entrance to a building or structure shall be placed in a conspicuous position over, upon or adjacent to each and every door or entranceway to such building or structure.

**11.24.070 Size and material.**

The figures used in numbers designated under this chapter shall be not less than 2 inches in height and made of corresponding width, made out of rustproof material including, but not limited to, aluminum, porcelain, ceramic, plastic, wood, or cement, and shall be of a color that contrasts with its background to enhance its visibility.

**11.24.080 System generally.**

A. For the purpose of numbering buildings and structures as required by this chapter, 100 numbers or as many thereof as shall be necessary shall be allowed to each block.

B. Number 100 shall be the first number used at the respective beginning points on the side of the street which is to contain even numbers, and number 101 for the side of the street which is to contain the odd numbers. The first number in each block shall be increased by 100 over the first number in the next preceding block, and each 15 feet of frontage or fraction thereof on the north and west side of each street in each block shall be numbered consecutive odd numbers, and each 15 feet or fraction thereof on the south and east sides of each street in each block shall be numbered with consecutive even numbers.

C. Should the door or entrance way fall on the dividing line between two sections, the number of the section best representing the premises shall be used. Should several doors or entrance ways occur in succession within less space than is provided for in this Section, the numbers may be shifted forward or backward so as to provide for a fractional number for each entrance or a new series in alphabetic order.

D. Numbers shall be calculated from the end of the block nearest to the starting point or dividing line. On all streets, the numbering shall be done as if the street extends to the dividing line or starting point for the city, as defined in Section 11.24.090.

E. Alley intersections shall not be numbered. Any fractional section of street frontage of less than 15 feet adjoining an alley on the side thereof nearest the initial number on such street shall be given a whole number. The first 15 feet on the opposite side of such alley shall be given the next odd or even number.

F. A 'block' within the meaning of this Section is that portion of any street between two intersecting streets, or between an intersecting street and an abutting street, or between two abutting streets. In the case of abutting streets, the prolonged centerline of the abutting streets shall be the dividing line of the block, and all blocks exceeding 1,000 feet in length shall be considered two equal blocks.

**11.24.090 Starting points or dividing lines.**

The following shall be the respective starting points or dividing lines for numbering all buildings fronting on streets heretofore laid out or hereafter to be laid out or extended:

A. From east to west, Citrus Avenue shall be the dividing line;

B. From north to south, Badillo Street shall be the starting point.

In designating any location in the city by number and street, the word 'East' shall precede the name of each street running easterly from Citrus Avenue, and the word 'West' shall precede

the name of each street running westerly from Citrus Avenue. The word 'North' shall precede the name of each avenue running northerly from Badillo Street, and the word 'South' shall precede the name of each avenue running southerly from Badillo Street."

**Section 6:** Chapter 11.26 is hereby added to Title 11 of the Covina Municipal Code and shall read as follows:

"CHAPTER 11.26

OUTDOOR SIDEWALK DINING

Sections:

11.26.010	Permit – Required.
11.26.020	Permit – Application.
11.26.030	Permit – Fee.
11.26.040	Report and recommendation of City Planner.
11.26.050	Permit – Director's authority to issue and set conditions.
11.26.060	Minimum sidewalk clearance.
11.26.070	Limited to restaurants that serve food.
11.26.080	Limitations on outdoor dining facilities.
11.26.090	Indemnification and insurance.
11.26.100	No live entertainment or amplified music.
11.26.110	Notice of violation and/or termination.
11.26.120	Impoundment.
11.26.130	Appeal.
11.26.140	Violation – Penalty.
11.26.150	Violation – Other remedies.

**11.26.010 Permit – Required.**

Any person desiring to erect, construct, place or maintain an encroachment upon any public sidewalk for outdoor sidewalk dining facilities must first obtain an annual outdoor sidewalk dining permit pursuant to this chapter. Each applicant for an annual permit shall comply with the requirements of this chapter and any other applicable laws.

**11.26.020 Permit – Application.**

The Director shall establish an application form for an annual sidewalk dining permit, including any application materials deemed necessary to enable complete review of the application.

**11.26.030 Permit – Fee.**

Each applicant for an annual outdoor sidewalk dining permit under this chapter shall pay a nonrefundable permit application fee as established from time to time by resolution of the City Council. Each holder of such permit shall be required to submit a renewal application along with a nonrefundable renewal application fee as established from time to time by resolution of the City Council each year to obtain a new annual permit.

**11.26.040 Report and recommendation of City Planner.**

The Director shall transmit a copy of each application for an annual outdoor sidewalk dining permit to the Chief of Police and City Planner. The Chief of Police and/or City Planner may require of the applicant such additional information pertinent to the outdoor sidewalk dining permit as they may deem necessary, and shall advise the Director in writing of all material facts which they consider necessary for determining whether an outdoor sidewalk dining permit should be approved, approved with conditions or denied.

**11.26.050 Permit – Director’s authority to issue and set conditions.**

The Director in acting upon any application for an annual outdoor sidewalk dining permit shall either approve, approve with conditions, or deny the issuance of a permit based on the following principles and standards:

A. That the proposed use of the public sidewalk is in compliance with all applicable provisions of this chapter;

B. That the proposed use of the public sidewalk is so arranged as to ensure the protection of public health, safety and general welfare and prevent interference with users of the highway right-of-way and with holders of other similar permits; and

C. That the proposed outdoor sidewalk dining and the abutting restaurant will comply with the provisions and development standards prescribed in Title 17 of this Code, or as prescribed by the City Planner.

**11.26.060 Minimum sidewalk clearance.**

Sidewalk dining facilities shall not be permitted on sidewalks which are less than 10 feet wide. All outdoor sidewalk dining facilities shall be located at least 5 feet from the curb and any sidewalk obstruction which shall include, but not be limited to, street light poles, trees, sign posts, news racks, mail boxes, and utility poles.

**11.26.070 Limited to restaurants that serve food.**

All permits issued pursuant to this chapter shall be limited to outdoor sidewalk dining facilities established in conjunction with and abutting restaurants that serve food.

**11.26.080 Limitations on outdoor dining facilities.**

All outdoor dining facilities shall be placed, installed, used or maintained as follows:

A. All outdoor dining furnishings and equipment such as chairs, tables, fences, planters and such related furnishings and equipment shall not exceed 48 inches in height;

B. Notwithstanding, subsection (A), any umbrella used in conjunction with the aforementioned furnishings and equipment or any portable heater may exceed 48 inches in height if the umbrella or heater does not encroach upon the air space required in the 5 foot sidewalk clearance area referred to in Section 11.26.060;

C. No items of furnishings or equipment, including but not limited to umbrellas, chairs, tables, fences, planters and related furnishings and equipment shall be attached to the sidewalk or sidewalk surface, nor shall any of those items cause damage to the sidewalk in any manner, unless otherwise authorized by separate encroachment permit pursuant to Chapter 11.08;

D. Outdoor sidewalk dining shall only be allowed between the hours of 6:00 a.m. and 11:00 p.m., unless otherwise authorized by separate encroachment permit pursuant to Chapter 11.08;

E. All sidewalk dining furnishings and equipment must be removed and the sidewalk kept clear of all obstructions between the hours of 11:00 p.m. and 6:00 a.m., unless otherwise authorized by separate encroachment permit pursuant to Chapter 11.08;

F. The maximum number of tables, chairs or other items of furnishings or equipment allowed under any permit shall be consistent with the provisions of this chapter and any other applicable laws. The decision of the Director with regard to the total number of tables, chairs or other items of furnishings or equipment which may be permitted under the permit granted hereunder, shall be final.

#### **11.26.090 Indemnification and insurance.**

As a condition of the issuance of an annual outdoor sidewalk dining permit, the permit holder shall defend, indemnify and hold harmless the city, its officers, officials, agents and employees, and shall present, along with each application or renewal application for an annual permit, evidence of liability insurance in a form and in an amount acceptable to the Director.

#### **11.26.100 No live entertainment or amplified music.**

No live entertainment or amplified music shall be permitted in any outdoor sidewalk dining area established pursuant to this chapter.

#### **11.26.110 Notice of violation and/or termination.**

A. If the Director believes that a permittee is in violation of the provisions of this chapter, the Director may issue a notice of violation to the permittee. The notice shall be served on the permittee, either in person or by first class mail. The notice of violation shall set forth the basis for the violation and indicate that the permit is subject to termination unless, within 10 calendar days of service of the notice, the violation is either corrected or an appeal is requested pursuant to Section 11.26.130 herein.

B. If the Director determines that a permittee:

1. has committed a violation of this chapter; or
2. will not be able to continue to meet the requirements of this chapter because of a proposed public highway right-of-way improvement;

the Director shall notify the permittee, either in person or by first class mail, that the permit will be terminated. The notice of termination shall be served on the permittee, either in person or by first class mail. The notice shall indicate that the permit is subject to termination unless, within 10 calendar days of service of the notice, an appeal is requested pursuant to Section 11.26.130 herein.

C. Notices made pursuant to any section of this chapter shall be deemed served and effective upon the date the notice is provided in person or by facsimile machine, or two calendar days after sending by first class mail. The failure of any person to receive a notice shall not affect in any manner the validity of any proceeding or action under this chapter.

#### **11.26.120 Impoundment.**

A. The Director may impound any furnishings and equipment believed to be in violation of this chapter if the furnishings and equipment are deemed a hazard to public health,



safety or welfare. Before impounding any furnishings or equipment the Director shall provide not less than 10 calendar days notice prior to impoundment. The notice shall set forth the basis for the impoundment and shall also notify the permittee of its appeal rights as set forth in Section 11.26.130 herein.

B. If, however, the violation constitutes an immediate threat to the public health, safety or welfare, the Director may impound furnishings and equipment without any advance notice to the permittee. In such case, written notice of the impound shall be served to the permittee of record not later than 2 working days after the impoundment. The notice shall inform the permittee of the right to seek the return of the impounded furnishings and equipment and the right to appeal the Director's decision as set forth in Section 11.26.130 herein.

C. Notices made pursuant to any section of this chapter shall be deemed served and effective upon the date the notice is provided in person or by facsimile machine, or two calendar days after sending by first class mail. The failure of any person to receive a notice shall not affect in any manner the validity of any proceeding or action under this chapter.

D. The permittee, or if there is no permittee, a claimant who provides sufficient proof of ownership of impounded furnishings and equipment may, no later than 30 calendar days after impoundment or, if an appeal has been filed, not later than 30 calendar days after any such appeal becomes final, obtain a return of the furnishings and equipment, upon paying an impound fee as established from time to time by the City Council, plus the reasonable cost, if any, of impounding the furnishings and equipment in excess of the impound fee established by the City Council. The furnishings and equipment shall be returned without payment of any impound fee or costs if so determined by the Director or on appeal.

E. If any furnishings and equipment are impounded for more than 30 calendar days after impoundment or, if an appeal has been filed, for more than 30 calendar days after the appeal becomes final, then the Director may cause the sale or disposal of the impounded furnishing and equipment.

#### **11.26.130 Appeal.**

A permittee or person responsible for furnishings and equipment governed by this chapter may appeal any denial of a permit, notice of violation, notice of termination or impoundment as provided in Chapter 11.54.

#### **11.26.140 Violation – Penalty.**

Any person who violates this chapter shall be guilty of a misdemeanor.

#### **11.26.150 Violation – Other remedies.**

The provisions of this chapter are cumulative to any other remedies authorized by law."

**Section 7:** Section 11.32.020 of Chapter 11.32 of Title 11 of the Covina Municipal Code is hereby amended to read as follows:

#### **"11.32.020 Definitions.**

As used in this chapter:

A. 'Director' means the Director of Public Works of the city of Covina or designee thereof.

B. 'Newsrack' means any self-service or coin-operated box, container, storage unit or other dispenser installed, used or maintained for the display and sale of newspapers or news periodicals.

C. 'Parkway' means that area between the sidewalk and the curb of any street, and where there is no sidewalk or curb, that area between the edge of the roadway and the property line adjacent thereto.

D. 'Roadway' means that portion of a street improved, designed or ordinarily used for vehicular travel."

**Section 8:** Section 11.32.030 of Chapter 11.32 of Title 11 of the Covina Municipal Code is hereby amended to read as follows:

**"11.32.030 Permit required.**

No person, whether as a principal or agent, clerk or employee, either for himself of any other person, or as an officer or any corporation, or otherwise, shall place or maintain a newsrack on or projecting onto a sidewalk or parkway unless and until a newsrack permit has been obtained from the Director."

**Section 9:** Section 11.32.050 of Chapter 11.32 of Title 11 of the Covina Municipal Code is hereby amended to read as follows:

**"11.32.050 Issuance of permit – Only one permit required.**

Upon proper application on forms provided by the Director, the Director shall issue the applicant a newsrack permit. Notwithstanding any other provisions of this chapter, the Director may not refuse to issue a newsrack permit properly applied for. One permit shall permit the placement and maintenance of any number of newsracks on the sidewalks in accordance with the provisions of this chapter."

**Section 10:** Section 11.32.060 of Chapter 11.32 of Title 11 of the Covina Municipal Code is hereby amended to read as follows:

**"11.32.060 Permit – Application – Contents.**

Any person desiring a permit pursuant to this chapter shall make application therefor to the Director. The application shall be upon a form furnished by the Director and shall set forth:

A. The name, address, telephone number (and facsimile or electronic mail address, if available) of the applicant;

B. If the applicant is a corporation, the names and addresses of the principal corporate officers and the state of incorporation;

C. The name, address, telephone number (and facsimile or electronic mail address, if available) of the person to be in immediate charge of the individual newsrack(s) who the City may notify or contract at any time;

D. The location where the newsrack(s) shall be placed;

E. A color photograph and model number of the type of newsrack(s);

F. The name of the publication to be contained in each newsrack;

G. A site map showing the width of the sidewalk and the location of each proposed newsrack installation and any and all structures, encroachments or objects of any kind or

character within 25 feet of the proposed installation including, but not limited to, traffic signals, street light poles, fire hydrants, bus benches, utility poles, telephones, building entrances, driveways and parking meters;

H. A statement that the applicant will directly control and supervise each newsrack proposed to be authorized under the permit sought and will be responsible for the operation and maintenance thereof;

I. Such other data as the Director may reasonably require in the interests of public health, safety or welfare;

J. A statement certifying on penalty of perjury the correctness of the information given on the application and agreeing on behalf of the proposed applicant that there shall be full compliance of the applicant with all state and city laws in the conduct of the activities for which a permit may be granted;

K. Copies of any permits required by this Code or other ordinances of the city or the state laws.”

**Section 11:** Section 11.32.080 of Chapter 11.32 of Title 11 of the Covina Municipal Code is hereby amended to read as follows:

**“11.32.080 Newsrack identification.**

Every newsrack permittee shall permanently affix to each newsrack placed on or maintained on or projecting over any portion of a sidewalk or parkway the permittee’s name, address, telephone number, and the permittee’s permit number.”

**Section 12:** Section 11.32.100 of Chapter 11.32 of Title 11 of the Covina Municipal Code is hereby amended to read as follows:

**11.32.100 Standards.**

Any newsrack which in whole or in part rests upon, in or over any public sidewalk or parkway shall comply with the following standards:

A. No newsrack shall exceed 48 inches in height, 30 inches in width, or 24 inches in depth.

B. Newsracks shall only be placed near a curb or adjacent to a wall of a building. Newsracks placed near the curb shall be placed no closer than 18 inches to the face of the curb and no farther than 24 inches from the face of the curb, measured from the curb face to the nearest point on the newsrack. Newsracks placed adjacent to the wall of a building shall be placed parallel to such wall and not more than 6 inches from the wall. No newsrack shall be placed or maintained on the sidewalk or parkway opposite a newsstand or another newsrack.

C. No newsrack shall be chained, bolted or otherwise attached to any property not owned by the owner of the newsrack or to any permanently fixed object without the consent of the owner or such property. Newsracks shall be bolted to the sidewalk, unless otherwise authorized by the Director. Upon removal of a newsrack, the permittee shall fully restore the sidewalk or parkway to its original condition. No newsrack shall be chained or attached to loose objects including but not limited to, bricks, rocks, cinder blocks, pipes or other such objects.

D. Newsracks may be chained or otherwise attached to another; however, no more than 3 newsracks may be joined together in this manner, and a space of not less than 42 inches shall

separate each group of 3 newsracks so attached, unless the newsracks are placed adjacent to the wall of a building.

E. Notwithstanding the provisions of Section 11.32.090(B), no newsrack shall be placed, installed, used or maintained:

1. Within 5 feet of any marked crosswalk;
2. Within 15 feet of any curb return of any unmarked crosswalk;
3. Within 5 feet of any fire hydrant, fire call box, police call box or other emergency facility;
4. Within 5 feet of any driveway or alley approach;
5. Within 5 feet in front of, and within 25 feet to the rear of, any sign or pavement markings designating a bus stop, measured parallel to the flow of traffic;
6. Within 6 feet of any bus bench;
7. Within 3 feet of any outdoor sidewalk dining area or area improved with lawn, flowers, shrubs or trees, or within 3 feet of any display window or any building abutting the sidewalk or parkway in such a manner as to impede or interfere with the reasonable use of such window for display purposes;
8. Within 42 inches of any sidewalk obstruction which shall include, but not be limited to, traffic signals, street light poles, trees, sign posts, telephones, and utility poles;
9. Within 100 feet of any other newsrack or group of newsracks on the same side of the street containing the same edition of the same publication, unless the permittee can demonstrate to the Director that the demand for such publication within such 100 feet requires an additional newsrack or racks. The total number of newsracks within such 100 feet shall not exceed the maximum number of newsracks allowed by subsection (H) of this Section.
10. At any location where the clear space for pedestrians is reduced to less than 6 feet;
11. Which causes or constitutes a traffic hazard;
12. Which unreasonably obstructs or interferes with access to, or the use and enjoyment of abutting property;
13. Which will endanger persons or property;
14. Which will unreasonably interfere with or obstruct the flow of pedestrian or vehicular traffic flow on the highway;
15. Where a curb is painted blue, yellow or white;
16. Which obstructs the motoring public's view of pedestrian or traffic and parking signage.

F. No newsrack shall be used for advertising signs or publicity purposes other than dealing with the display, sale or purchase of the newspaper or news periodical sold therein.

G. Each newsrack shall be maintained in a clean and neat condition and in good repair at all times. Each newsrack shall be serviced and maintained so that:

1. It is free of dirt, grease and graffiti;
2. It is free of chipped, faded, peeling and cracked paint in the visible areas thereof;
3. The clear plastic or glass parts thereof, if any, through which the publications therein are viewed, are unbroken and free of cracks, dents, blemishes and discoloration;
4. It is free of rust and corrosion in the visible areas thereof;
5. The paper or cardboard parts or inserts thereof are free of tears, peeling or fading;

6. The structural parts thereof are not broken or misshapen.

H. No more than 6 newsracks shall be permitted within a space of 100 feet on the same side of any highway where vehicles are allowed to park, load, unload or stand for any period of time.”

**Section 13:** Section 11.32.130 of Chapter 11.32 of Title 11 of the Covina Municipal Code is hereby amended to read as follows:

**“11.32.130 Impounding of newsracks.**

A newsrack may be impounded for being in violation of Sections 11.32.030, 11.32.080, 11.32.090, 11.32.100 or 11.32.110 under the following conditions:

A. The Director must attach a tag upon the particular newsrack found in violation. Thereafter, a written notice of the violation shall be sent within 2 working days to the permittee designated in Section 11.32.060(A) and the person in immediate charge of the newsrack as designated in Section 11.32.060(C). The permittee or person in immediate charge of the newsrack must correct the violation within 10 calendar days from the date on the tag or request an appeal pursuant to Section 11.32.150 within that same time for the purpose of demonstrating that the particular newsrack is not in violation. The Director may impound the newsrack if the violation is not corrected or an appeal is not requested in writing within 10 calendar days from the date of the tag.

B. Notwithstanding the impound provisions of this section, the Director may immediately correct any violation of Section 11.32.090 and, if such violation is creating a dangerous or hazardous condition, may immediately impound any such newsrack. If the newsrack is impounded pursuant to this Section, a written notice of such action shall be sent to the permittee and person in immediate charge of the newsrack within 2 working days after the impoundment. The permittee or person in immediate charge of the newsrack may request an appeal within 10 calendar days from the date of service of the written notice pursuant to Section 11.32.150 for the purpose of demonstrating that the particular newsrack was not in violation and should not have been impounded. Notices made pursuant to any section of this chapter shall be deemed served and effective upon the date the notice is provided in person or by facsimile machine, or two calendar days after sending by first class mail.”

**Section 14:** Section 11.32.140 of Chapter 11.32 of Title 11 of the Covina Municipal Code is hereby amended to read as follows:

**“11.32.140 Return of impounded newsracks.**

A. Unless the newsrack and its contents are being held as evidence in a criminal prosecution, the permittee, or if there is no known permittee a claimant, who provides sufficient proof of ownership of such newsrack may have such newsrack together with its contents and all moneys, if any, returned within a reasonable time, not to exceed 30 calendar days from the date of removal and impoundment, or if an appeal is timely requested pursuant to Section 11.32.150, within 30 calendar days from the date the appeal becomes final, upon paying an impound fee as established from time to time by resolution of the City Council plus the reasonable cost of impounding, removing, and storing the newsrack, if any, in excess of the fee established by the City Council.

B. Should there be a dismissal of an action charging a violation of this chapter, or an acquittal of such charges, the court or City official ordering such dismissal or entering such acquittal shall provide for the release of any newsrack and its contents and all moneys, if any, impounded or the return of any impound fee and costs paid for the release of a newsrack impounded pursuant to such charges.

C. If the newsrack is not being held as evidence in any criminal proceeding, and no criminal proceeding concerning the violation for which the newsrack was impounded is still pending, and if no appeal pursuant to Section 11.32.150 has been requested, or, if requested, has resulted in a final decision that the newsrack was rightfully impounded, and if the impound fees and costs specified in this chapter have not been paid within the time specified, the Director may sell or otherwise dispose of the newsrack and its contents, if any, and retain the proceeds from any such sale or other disposition and any moneys contained in said newsrack at the time of its removal and impoundment.”

**Section 15:** Section 11.32.150 of Chapter 11.32 of Title 11 of the Covina Municipal Code is hereby amended to read as follows:

**“11.32.150 Appeal.**

Any applicant, permittee, or if there is no permittee any claimant, who provides sufficient proof of ownership of a newsrack may, within the time frames set forth in Section 11.32.130 above, request an appeal regarding any denial of a permit, notice of violation, or impoundment as provided in Chapter 11.54.”

**Section 16:** Chapter 11.36 of Title 11 of the Covina Municipal Code is hereby amended to read as follows:

**“CHAPTER 11.36**

**STREET TREES**

**Sections:**

11.36.010	Definitions.
11.36.020	Master plan.
11.36.030	Enforcement.
11.36.040	Trimming, removing or injuring trees or other plants – Permit required.
11.36.050	Application – Contents.
11.36.060	Permit – Issuance conditions.
11.36.070	Permit – Denial.
11.36.080	Replacement of trees required when.
11.36.090	Tree trimming for moving buildings or structures.
11.36.100	Violation – Penalty.

**11.36.010 Definitions.**

For purposes of this chapter, the following definitions shall apply:

A. 'Director' means the Director of Public Works of the city of Covina or designee thereof.

B. 'Public street' means every way set apart for public travel or use in the city, including the entire parkway strip, sidewalk area, easements and rights-of-way granted to the city.

#### **11.36.020 Master plan.**

All trees and shrubs hereafter planted in any public street shall conform as to species, spacing and location to the master street tree plan and reports adopted by the city council, which by reference is made a part of this chapter and is on file with the Director.

Amendments and additions to the master street tree plan shall be by resolution of the city council and shall thereby become a part of the master street tree plan.

#### **11.36.030 Enforcement.**

It shall be the duty of the Director to carry out the provisions of this chapter, and for that purpose he is authorized to promulgate such rules and regulations as may be necessary for accomplishing the purpose of this chapter.

The Director may perform any necessary operations on any tree, shrub or plant in any public street for the accomplishment of the master street tree plan or for the protection of public improvements or persons using the public streets.

Any portion of any tree or shrub growing in private property but extending into a public street may have such portion trimmed or pruned by the Director for the protection of public improvements or persons using the public streets.

#### **11.36.040 Trimming, removing or injuring trees and other plants – Permit required.**

It is unlawful for any person, firm or corporation, other than the Director, to trim, prune, cut, break, deface, destroy, burn or remove any shade or ornamental tree, hedge, plant, shrub or flower growing, or to grow upon any public street a tree within the city of Covina, without first having obtained a permit from the Director; or to deface, bend, break or destroy, or in any manner injure or remove any frame, post, trellis or other structure used to protect or support any such tree, hedge, plant, shrub or flower; or to plant or place thereon or attach thereto any sign, notice or other advertising device.

#### **11.36.050 Application – Contents.**

Application for a permit shall be made in writing to the Director, on the forms provided by the Director, along with an application fee, which shall be set from time to time by City Council resolution. The Director may make such reasonable changes or additions to any application for a permit as are necessary to implement the provisions of this Chapter. An applicant for a permit shall state in the application: name, address, and such other information as is required by this chapter or by the Director as he may reasonably require to determine compliance with this chapter.

#### **11.36.060 Permit – Issuance conditions.**

A permit shall not be granted to any person, firm or corporation, except:

A. A person, firm or corporation who owns or is the tenant of the property adjacent to that portion of the public street on which the shade or ornamental trees, hedges, plants, shrubs or flowers which it is proposed to trim, prune, cut, break, deface, destroy, burn, remove or grow;

B. A person, firm or corporation having a valid, unrevoked easement or franchise, with the exercise of which the shade or ornamental trees, hedges, plants, shrubs or flowers interfere, and the trimming, pruning, cutting, breaking, defacing, destruction, burning or removing of which is necessary to the exercise of such easement or franchise;

C. A person, firm or corporation whose principal business is tree-trimming and maintenance and tree surgery, who in the opinion of the Director, is qualified for such business, and who deposits with the Director a sum sufficient, in the opinion of the Director, to reimburse the city for any expense necessarily incurred to do corrective tree-trimming, removal and replacement necessitated by any trimming done by the permittee. The city shall deduct from the deposit the actual cost of any necessary corrective trimming, pruning, removal and replacement and shall refund the balance to the permittee. Should the cost be greater than the deposit, the permittee upon demand shall pay to the Director an amount equal to such excess. Further permits shall not be issued until such payment is made.

D. After the applicant for a permit has provided proof of public liability insurance in a form satisfactory to the Director and in an amount of not less than \$300,000.00 and property damage insurance in an amount not less than \$100,000.00

#### **11.36.070 Permit – Denial.**

A permit shall be denied if, as reasonably determined by the Director, the activity proposed by the applicant will:

- A. be in violation of any provision of this chapter; or
- B. endanger the public health, safety and general welfare, or interfere with users of the public right-of-way or with holders of other similar permits.

#### **11.36.080 Replacement of trees required when.**

No permit for the removal of any tree shall be issued under this chapter unless and until the applicant agrees to replace the tree with another tree, of a type and quality to be determined by the Director. This condition may be waived by the Director when replacement of such tree is not desirable in the public interest.

#### **11.36.090 Tree trimming for moving buildings or structures.**

A. Investigation of proposed route. Before any permit is issued pursuant to this chapter, the permittee shall investigate the proposed route and determine whether the moving of any building or structure as proposed in, and over the route specified in the application can be done without any excessive or damaging tree trimming.

B. Permit issuance. If tree trimming is required to facilitate the moving of the building or structure, the Director may issue a permit to the applicant, pursuant to Section 11.36.060, authorizing such tree trimming and containing conditions prescribed by the Director to assure against damage or injury to persons or property and to provide indemnity for any damage or injury resulting from the work. In the alternative, the Director may require the permittee to select a different route which will not require excessive or damaging tree trimming, if such a route is feasible.

#### **11.36.100 Violations – Penalty.**

A. Any person, firm or corporation who shall violate any of the provisions of this chapter shall be guilty of a misdemeanor.



B. Any person, firm or corporation who shall violate any of the provisions of this chapter shall bear the expense of replacing any tree, shrub or plant more than one-third destroyed by such violation, in addition to other penalties provided by law.”

**Section 17:** Chapter 11.37 of Title 11 of the Covina Municipal Code is hereby amended to read as follows:

“CHAPTER 11.37

REGULATION OF MAINTENANCE STANDARDS FOR PRIVATE PROPERTY  
ENCROACHMENT ONTO THE PUBLIC RIGHTS—OF-WAY

Sections:

- 11.37.010 Intent and purpose.
- 11.37.020 Violation – Declaration of Nuisance.
- 11.37.030 Abatement.

**11.37.010 Intent and purpose.**

The city council has determined that the quality of life in Covina is tied to the character and conditions of its neighborhoods. It is the purpose of these regulations to prevent private property encroachment onto the public rights-of-way which shall strengthen visual continuity and preserve the integrity and safety of the pedestrian and vehicular public. The provisions of this chapter shall supplement and not supersede other regulations contained in the Covina Municipal Code.

**11.37.020 Violation - Declaration of Nuisance.**

A. No owner of private property shall permit any grass, plants, flowers, shrubs, trees, barriers, decorative appurtenances or any other private property condition to become overgrown, overspread, or to intrude into the public right-of-way such that it imperils or interferes with the safe travel of the pedestrian and vehicular public.

B. For purposes of this section, the term “Owner” means any person, partnership, association, corporation, or fiduciary having a legal or equitable title or any interest in the private property. This definition includes any agent of the owner.

**11.37.030 Abatement.**

If the Director finds such conditions to exist, the Director may declare such conditions to be a public nuisance and initiate nuisance abatement proceedings in accordance with chapter 8.40 of this code.”

**Section 18:** Sections 11.40.025, 11.40.030, 11.40.040 and 11.40.050 of Chapter 11.40 of Title 11 of the Covina Municipal Code are hereby deleted in their entirety.

**Section 19:** Chapter 11.50 is hereby added to Title 11 of the Covina Municipal Code and shall read as follows:

“CHAPTER 11.50

UNDERGROUND UTILITY MAPS

Sections:

- 11.50.010      Definitions
- 11.50.020      Map – Required.
- 11.50.030      Map – Filing time.
- 11.50.040      Map – Affidavit.
- 11.50.050      Map – New map not required.
- 11.50.060      Electronic media in lieu of maps.

**11.50.010      Definitions.**

For purposes of this chapter, the following words and phrases shall have the ascribed meanings:

A. ‘Director’ means the Director of Public Works of the City of Covina or designee thereof.

B. ‘Highway’ means any public highway, public street, public way or public place in the city, either owned by the city or dedicated to the public for the purpose of public travel. The term includes all or any part of the entire width of right-of-way, and above and below the same, whether or not such entire area is actually used for highway purposes.

C. ‘Person’ includes any individual, firm, co-partnership, joint venture, association, corporation, estate, trust, business trust, any district, any city, any county, and all departments and bureaus thereof.

**11.50.020      Map – Required.**

It shall be the duty of every person when such person owns, uses, controls or has an interest in any pipes, pipelines, conduits, ducts, tunnels or conveyor systems under or beneath the surface of any public highway, which pipes, pipelines, conduits, ducts, tunnels or conveyor systems shall be used or provided for the purpose of supplying or conveying gas, oil, petroleum products, hydrocarbons, ammonia, water, steam, heat, sewerage, discharge of wastes, electricity, or communication circuits in, to or from the city, or to or from any person situated within the city, or for any other similar purposes, to file in the office of the Director a map or a set of maps, each drawn to scale of not more than 200 feet to one inch, which map or maps shall show the exact location, size and description of the pipes, pipelines, conduits, ducts, tunnels, or conveyor systems, together with all mains, laterals, services and service pipes, valves, pressure regulators, traps, vents, manholes, handholes, transformer chambers or other appliances, installed beneath the surface of the highways in the city, belonging to, used by or under the control of such person or in which such person has an interest, together with the date of installation of such improvement, as hereinabove set forth, if such date of installation is known

**11.50.030      Map – Filing time.**

Each map or set of maps required by Section 11.50.020 shall be kept current and corrected maps shall be filed with the Director by the end of February of each calendar year.

The corrected map or set of maps shall include all installations or changes made during the previous calendar year, to and including the last day of each such calendar year.

**11.50.040 Map – Affidavit.**

Each map or set of maps required by Section 11.50.020 and 11.50.030 shall be accompanied by an affidavit endorsed thereon, subscribed and sworn to by such person, member of such firm, or president or secretary of such corporation or person authorized by them, to the effect that such map or set of maps correctly exhibits the details required by this Chapter to be shown thereon.

**11.50.050 Map – New map not required.**

In the event that any person has filed a map or set of maps in compliance with Section 11.50.020 and finds at the last day of any calendar year subsequent thereto that no changes have occurred during such calendar year, such person shall not be required to file a new map or set of maps as set forth in Section 11.50.030, but it shall be sufficient if such person, member of such firm or president or secretary of such corporation, or person authorized by them, on or before the last day of February thereafter, shall file an affidavit with the office of the Director a statement confirming that the maps on file are complete and correct as filed.

**11.50.060 Electronic media in lieu of maps.**

In lieu of maps required by this Chapter, persons may file electronic media containing the same information required to be shown on the maps. Each electronic file shall be in a format acceptable to the Director and shall include an identifying date for filing purposes.”

**Section 20:** Chapter 11.54 is hereby added to Title 11 of the Covina Municipal Code and shall read as follows:

“CHAPTER 11.54

APPEAL OF DIRECTOR’S DECISIONS UNDER TITLE 11

Sections:

11.54.010 Appeal of Director’s Decisions Under Title 11.

**11.54.010 Appeal of Director’s Decisions Under Title 11.**

A. Except as otherwise provided in the applicable chapter, any person who is aggrieved by the notices, orders, decisions, or determinations made by the Director relative to the application of any standards under this Title 11 may appeal to the City Manager.

B. Such appeal shall be in writing and must be filed with the Director not less than ten (10) calendar days following the date of service of the Director’s order, decision or determination on the person aggrieved. The appeal must indicate a return address, set forth the basis for the appeal, include the applicable appeal fee as set by City Council resolution, and must be filed with the Director’s office. If the appeal deadline falls on a day City Hall is closed, then the deadline shall be extended until the next regular business day.

C. As soon as practicable after receiving the written notice of appeal, the city shall fix a date, time and place for hearing before the City Manager. Written notice of the time and place for the hearing may be served by personal service, facsimile or by first-class mail, at the return address indicated on the written appeal. Service of the appeal notice must be made at least 10 calendar days prior to the date of the hearing to the person aggrieved. The notice shall be deemed served and effective upon the date the notice is provided in person or by facsimile machine, or two calendar days after sending by first class mail. The failure of the person aggrieved to receive such notice of the hearing shall not affect the validity of any proceedings under this chapter.

D. The City Manager shall conduct an orderly, fair hearing and accept evidence on which persons would commonly rely in the conduct of their ordinary business affairs as follows. The City Manager shall administer oaths and accept testimony by declaration under penalty of perjury relating to the issues presented on appeal. The person aggrieved, or his or her agent or attorney, or any other interested person may present testimony or evidence concerning the issues presented on appeal. For purposes of an appeal hearing, a valid notice, order, decision, or determination of the Director shall be prima facie evidence of that fact.

E. The City Manager shall make findings based on the record of the hearing and make a written decision based on the findings. The city shall preserve all exhibits submitted by the parties and shall serve the decision by first-class mail on the appellant within 10 calendar days after the hearing.

F. The City Manager may reduce, waive or modify any penalties, conclusions or conditions stated in the Director's notice, order, decision or determination if mitigating circumstances are shown and the City Manager states specific grounds for reduction, waiver or modification in the written decision. The decision of the City Manager shall be final, subject only to further review in a court of competent jurisdiction pursuant to State law. There are no appeals to the city council.

G. Failure of an aggrieved person to file an appeal and appear for a hearing in accordance with the provisions of this Section shall constitute a waiver of that person's rights to administrative determination of the merits of the Director's order, decision or determination, and shall also constitute a forfeiture of any fines, costs and appeal fees. If no timely appeal is filed to the City Manager, the Director's notice, order, decision or determination shall be deemed a final administrative order. Failure to appeal a decision to the City Manager shall also constitute a failure to exhaust the aggrieved person's administrative remedies."

**Section 21:** Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof, is for any reason held to be unconstitutional or void, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional or void.

**Section 22:** Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passes and adopted; and shall, within fifteen (15) days after the passage and adoption thereof,

cause the same to be published as required by law, in a local weekly newspaper of general circulation and which is designated for that purpose.

**ORDINANCE PASSED AND APPROVED** on this \_\_\_\_ day of \_\_\_\_\_, 2010.

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Peggy Delach  
Mayor

ATTEST:

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City Clerk

APPROVED AS TO FORM:

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City Attorney

**CITY OF COVINA**  
**AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** NB 2

**STAFF SOURCE:** Robert Neiuber, Director of Community Development *RN*

**ITEM TITLE:** Consider Council Member initiated appeal of two Planning Commission Decisions.

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**STAFF RECOMMENDATION**

Consider without public hearing or discussion of the merits an appeal of the planning Commission's decision regarding Conditional Use Permit 10-008 and the related Variance 10-002 in accordance with Covina Municipal Code Section 17.62.130(C).

Consider without public hearing or discussion of the merits an appeal of the planning Commission's decision regarding Conditional Use Permit 10-010 and the related Variance 10-004 in accordance with Covina Municipal Code Section 17.62.130(C).

Approve or deny the appeal of these two Planning Commission decisions.

**FISCAL IMPACT**

None.

**BACKGROUND**

At the October 26, 2010 Planning Commission Meeting, the Planning Commission considered the required findings and approved two applications for wireless communication facilities. The applicant for both of the wireless facilities is T-Mobile West Corporation.

The first application consisted of Conditional Use Permit 10-008 and the related Variance 10-002 for a monopine-type wireless facility and associated equipment to be located on Church property near the southeast corner of Bonnie Cove and Cienega. The Variance was needed due to the height of the facility and the setback requirements.

The second application consisted of Conditional Use Permit 10-010 and the related Variance 10-004 for a monopine-type wireless facility and associated equipment to be located on a commercial property near the northwest corner of Forest Hills Drive and Garvey Avenue. The Variance was needed due to the setback requirements.

Councilmember Walter Allen III filed an appeal of the Planning Commissions decisions in accordance with Covina Municipal Code 17.62.130(C) when he discussed this item during Council Communications at the November 2, 2010 Council Meeting and asked that the appeal be brought back for Council consideration.

Covina Municipal Code Sections 17.62.130(C) and (D) state:

- C. A member of the city council. If the appeal is initiated by a member of the council, not an applicant or an owner within the meaning of subsection (B) of this section, such initiation of appeal shall not be effective unless approved by a majority of the elected members of the council acting at the next regular meeting of the council following the date of filing of such appeal. Such initiation of appeal shall be considered without public hearing or discussion of the merits of the matter by the council
- D. The filing of an appeal within the time limit herein specified shall stay the order of the commission and the issuance of any permits predicated thereon until the council has either acted thereon, as provided in CMC 17.62.150, or until a majority of the council has failed to approve an appeal by a member of the council, whichever date first occurs

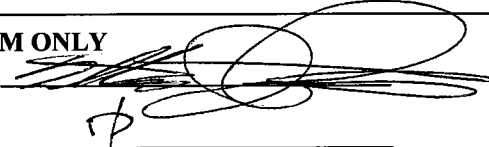

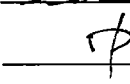

The City Council should not consider the merits of the item, only if they would like to appeal the Planning Commission's decisions and have this item come before them for consideration. If a majority of the City Council approves the appeal then staff would bring back all of the information for the City Council to consider the items on the merits at their next regularly scheduled City Council Meeting.

#### **RELEVANCE TO THE STRATEGIC PLAN**

None.

#### **EXHIBITS**

None.

<b>REVIEW TEAM ONLY</b>	
City Attorney: 	Finance Director: 
City Manager: 	Other: 

# **CITY OF COVINA/REDEVELOPMENT AGENCY**

## **AGENDA ITEM COMMENTARY**

**MEETING DATE:** November 16, 2010

**ITEM NO.:** JNB 1

**STAFF SOURCE:** Robert Neiuber, Deputy Executive Director *RN*  
Steve Henley, Public Works Director *SH*  
Alex Gonzalez, Senior Management Analyst

**ITEM TITLE:** Approval of Shopper's Lane Improvements Final Concept Design

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### **STAFF RECOMMENDATION**

- a. City Council to Approve Shopper's Lane Improvements Final Concept Design 2b; and
- b. Agency to Approve Shopper's Lane Improvements Final Concept Design 2b

### **FISCAL IMPACT**

Funds in the amount of \$250,000 were appropriated for Shopper's Lane Public Improvements, Project P-1009 (5013-4650-00-55200), on March 2, 2010 from Project Area One, Public Purpose Bond, Undesignated Funds. It is expected that the completion of this project will reduce maintenance expenditures for the Shopper's Lane Parking Lot, which is currently being subsidized by the City General Fund.

### **BACKGROUND**

The Shopper's Lane Parking Improvement Area currently operates at a significant annual deficit and meetings with local merchants/property owners have not been successful in reaching a compromise that would result in a revenue-neutral budget for the Area. As a result, the Shopper's Lane Parking Improvement Area's annual maintenance has become a financial drain on the City General Fund and has developed an unsightly appearance with the on-going elimination of General Fund subsidies.

Due to the financial condition of the Shopper's Lane Parking Improvement Area, an opportunity exists to reconsider the built environment in a manner that reduces maintenance costs and incorporates sustainable practices in accordance with the City's Strategic Plan. Alta Planning and Design was awarded a contract in March of 2010 to provide conceptual proposals that would result in the following deliverables: a zero maintenance conceptual design, a minimal maintenance conceptual design, annual maintenance cost estimates for each design, and construction cost estimates for each design. Alta Planning and Design developed two conceptual designs which were presented for public input along with the Covina Parking Study public input process. Three meetings were held on Tuesday, August 31, 2010 and Wednesday, September 1, 2010 where the two design concepts were presented, reviewed and discussed.



Public input was positive for the both designs; with Final Concept Design 2b being created based on the following comments that were received:

- Do not provide loose rocks for people to throw in the parking lot,
- Colored concrete is preferred,
- The bicycle racks are a good idea, currently employees lock their bikes in the back alley,
- Removing the palm trees is fine due to the heavy maintenance required, but a smaller number of environmentally sustainable replacement trees are preferred.

Final Concept Design 2b increased construction cost estimates due to the excavation and grading required for the installation of permeable colored concrete to ensure that stormwater runoff is not increased with the new design.

Should the City Council/Agency Board approve Final Design Concept 2b as presented this evening, Alta Planning and Design will begin work on developing construction documents for bidding purposes.

#### **RELEVANCE TO THE STRATEGIC PLAN**

This item is directly related to the City of Covina's goal to become an environmentally sustainable community. The project specifically fulfills the plan to incorporate educational, environmentally sustainable landscape in at least one project on City property.

#### **EXHIBITS:**

A. Memo 5 – Shoppers Lane Final Concept Design

#### **REVIEW TEAM ONLY**

City Attorney:  Finance Director:   
City Manager:  Other: \_\_\_\_\_

## Memorandum

To: Alex Gonzales, City of Covina  
From: Emily Duchon  
CC: George Hudson  
Project: Shoppers Lane Streetscape Improvements  
Date: October 19, 2010

RE: Memo 5- Shoppers Lane Final Concept Design

### Final Concept Design 2b

Following the public workshop, concept design 2 has been revised to reflect stakeholder comments. The final design expands upon the goal of concept 2 which was to provide a lowest maintenance alternative while maintaining visual appeal. The following list outlines the revisions made to concept 2.

- **Remove rock mulch.** The shop owners were very concerned that loose river rock or rock gravel could be thrown through storefront windows. Areas with rocks have been replaced with pervious concrete or stabilized decomposed granite.
- **Replaced new concrete with pervious concrete.** Beeson Pervious Concrete provided a cost estimate for the natural color and colored pervious concrete. The mark up for pervious is not that significant over regular concrete. However, additional costs are incurred through excavation of 12" of soil and additional gravel base. The typical pervious concrete cross section is 6" gravel base and 6" pervious concrete.
- **Include trees.** Nearly all of the stakeholder input expressed the desire to include planting of new street trees to replace the existing Queen Palms. *Lophostemon confertus*, Brisbane Box has been selected as an appropriate street tree for Shoppers Lane. The Brisbane Box is a broadleaf evergreen shade tree. It is urban tolerant, drought tolerant, and has minimal flower, fruit and leaf litter. Another option is *Podocarpus gracilior*, Fern Pine. The Fern Pine is also a good street tree, urban tolerant, a very clean and neat tree but is less drought tolerant.



Simulation of pervious colored concrete, Brisbane Box trees, and street banners.

### Opinion for Probable Construction Costs

Cost estimates for the three concepts have been updated to reflect current unit cost data, mobilization and traffic control costs. When the project moves into the PS&E phase, Alta will try and locate a Palm tree broker to inquire about removal and sale of the Queen Palms. If there is a market for the palms, the City of Covina could sell the existing palms and eliminate the cost of the Palm tree removal.

# Shoppers Lane Cost Opinion: Concept 1

Prepared by Alta Planning + Design (October 2010)

Element	Quantity	Unit	Cost/Unit	Cost	Totals
<b>Demolition</b>					\$ 17,850.00
Clear & Grub	7,400	SF	\$ 0.50	\$ 3,700.00	
Tree Removal	16	EA	\$ 500.00	\$ 8,000.00	
Tree Pruning	2	EA	\$ 250.00	\$ 500.00	
Shrub Pruning	3	EA	\$ 100.00	\$ 300.00	
Irrigation System Removal and Capping	1	LS	\$ 4,100.00	\$ 4,100.00	
Abandon Electrical Outlets	7	EA	\$ 150.00	\$ 1,050.00	
Remove Concrete Curb	20	SF	\$ 10.00	\$ 200.00	
<b>New Paving</b>					\$25,793.00
Super Stabilized Decomposed Granite	2,000	SF	\$ 7.00	\$ 14,000.00	
Artificial Grass	1,087	SF	\$ 10.00	\$ 10,870.00	
Concrete	142	SF	\$ 6.50	\$ 923.00	
<b>Rock Garden</b>					\$27,819.60
Flagstone Boulders	80	TON	\$300.00	\$24,000.00	
2" Visalia River rock (85%)	25	CY	\$115.00	\$2,875.00	
4"-8" Mixed Large rock	5	CY	\$115.00	\$575.00	
Geotextile fabric	2935	SF	\$0.16	\$469.60	
<b>Planting Bed</b>					\$2,061.20
Imported topsoil	13	CY	\$40.00	\$520.00	
Soil Preparation and Fine Grading	728	SF	\$0.40	\$291.20	
Shrubs, 5 gal	16	EA	\$40.00	\$640.00	
Perennials, 1 gal	30	EA	\$15.00	\$450.00	
Rock mulch	4	CY	\$40.00	\$160.00	
<b>Amenities</b>					\$7,500.00
Custom Design Bike Rack- Surface mount	3	EA	\$2,500.00	\$7,500.00	
<b>Solar Lighting</b>					\$60,480.00
Inovus Solar Lighting Assembly	8	EA	\$ 7,200.00	\$ 57,600.00	
Solar Lighting Installation (incl. removal of existing pole)	8	EA	\$ 360.00	\$ 2,880.00	
			<i>Total</i>		\$141,603.80
			<i>Mobilization &amp; Traffic Control (10%)</i>		\$ 14,160.38
			<i>Contingency (20%)</i>		\$ 28,320.76
<b>Grand Total</b>					\$184,084.94

# Shoppers Lane Cost Opinion: Concept 2

Prepared by Alta Planning + Design (October 2010)

Element	Quantity	Unit	Cost/Unit	Cost	Totals
<b>Demolition</b>					\$ 18,250.00
Clear & Grub	7,400	SF	\$ 0.50	\$ 3,700.00	
Tree Removal	16	EA	\$ 500.00	\$ 8,000.00	
Tree Pruning	2	EA	\$ 250.00	\$ 500.00	
Irrigation System Removal and Capping	1	LS	\$ 4,100.00	\$ 4,100.00	
Abandon Electrical Outlets	7	EA	\$ 150.00	\$ 1,050.00	
Remove Concrete Curb	90	SF	\$ 10.00	\$ 900.00	
<b>New Paving</b>					\$44,515.00
Colored Concrete	2,450	SF	\$ 10.00	\$ 24,500.00	
Concrete	1,050	SF	\$ 6.50	\$ 6,825.00	
Saw Cut Pattern	1,345	LF	\$ 2.00	\$ 2,690.00	
Super Stabilized Decomposed Granite	2,100	SF	\$ 5.00	\$ 10,500.00	
<b>Rock Garden</b>					\$22,235.20
Flagstone Boulders	70	TON	\$300.00	\$21,000.00	
Rock mulch	22	CY	\$40.00	\$880.00	
Geotextile fabric	2220	SF	\$0.16	\$355.20	
<b>Amennities</b>					\$4,900.00
Half Circle Bike Rack	3	EA	\$1,200.00	\$3,600.00	
Street Banners	10	EA	\$130.00	\$1,300.00	
<b>Solar Lighting</b>					\$60,480.00
Inovus Solar Lighting Assembly	8	EA	\$ 7,200.00	\$ 57,600.00	
Solar Lighting Installation (incl. removal of existing pole)	8	EA	\$ 360.00	\$ 2,880.00	
			<i>Total</i>		\$150,380.20
			<i>Mobilization &amp; Traffic Control (10%)</i>		\$ 15,038.02
			<i>Contingency (20%)</i>		\$ 30,076.04
<b>Grand Total</b>					\$195,494.26

# Shoppers Lane Cost Opinion: Concept 2B

Prepared by Alta Planning + Design (October 2010)

Element	Quantity	Unit	Cost/Unit	Cost	Totals
<b>Demolition</b>					\$ 23,590.00
Clear & Grub	7,400	SF	\$ 0.50	\$ 3,700.00	
Tree Removal	16	EA	\$ 500.00	\$ 8,000.00	
Tree Pruning	2	EA	\$ 250.00	\$ 500.00	
Irrigation System Removal and Capping	1	LS	\$ 4,100.00	\$ 4,100.00	
Abandon Electrical Outlets	7	EA	\$ 150.00	\$ 1,050.00	
Remove Concrete Curb	90	SF	\$ 10.00	\$ 900.00	
Excavation/Grading	267	CY	\$ 20.00	\$ 5,340.00	
<b>New Paving</b>					\$28,580.00
6" Pervious Concrete	5,480	SF	\$ 8.00	\$ 43,840.00	
6" Pervious Colored Concrete	1,777	SF	\$ 10.00	\$ 17,770.00	
6" Gravel Subgrade	135	CY	\$ 60.00	\$ 8,100.00	
Saw Cut Pattern	1,345	LF	\$ 2.00	\$ 2,690.00	
<b>Landscape Elements</b>					\$12,600.00
Trees, 24" Box	6	EA	\$350.00	\$2,100.00	
Tree Grate	6	EA	\$1,200.00	\$7,200.00	
Flagstone Boulders	3	TON	\$300.00	\$900.00	
Stabalized Decomposed Granite	750	SF	\$3.00	\$2,250.00	
Geotextile fabric	750	SF	\$0.20	\$150.00	
<b>Amenities</b>					\$4,900.00
Half Circle Bike Rack	3	EA	\$1,200.00	\$3,600.00	
Street Banners	10	EA	\$130.00	\$1,300.00	
<b>Solar Lighting</b>					\$20,480.00
Inovus Solar Lighting Assembly	8	EA	\$ 7,200.00	\$ 57,600.00	
Solar Lighting Installation (incl. removal of existing pole)	8	EA	\$ 360.00	\$ 2,880.00	
<b>Total</b>					\$173,970.00
<b>Mobilization &amp; Traffic Control (10%)</b>					\$ 17,397.00
<b>Contingency (20%)</b>					\$ 34,794.00
<b>Grand Total</b>					\$226,161.00

